

CLAIMS RESOLUTION TRIBUNAL

In re Holocaust Victim Assets Litigation
Case No. CV96-4849

Certified Award

to Claimant [REDACTED]

in re Account of Max Ritter von Anhauch

Claim Number: 203606/MG

Award Amount: 26,750.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the account of Max Ritter von Anhauch (the “Account Owner”) at the Zurich branch of the [REDACTED] (the “Bank”).¹

All awards are published, but where a claimant has requested confidentiality, as in this case, the names of the claimant, any relatives of the claimant other than the account owner, and the bank have been redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form identifying the Account Owner as her grandfather, Max Ritter von Anhauch, who was born on 13 March 1863 in Storojinet, Romania, (presently Storozynetz, Ukraine), and was married to [REDACTED], née [REDACTED]. According to the Claimant, her grandparents had one child, [REDACTED], the Claimant’s father, who was born on 25 July 1894 in Sucheava, Romania, and died on 13 October 1958 in Timisoara, Romania. The Claimant stated that her grandfather, who was Jewish, was an industrialist and business advisor (*Kommerzialrat*), a general director (*Generaldirektor*) of different companies in Romania, and that between the years 1940 and 1945 he was the general director of a shoe factory called *Prima Banat* in Timisoara. The Claimant further stated that between the years 1918 and 1940, her grandfather resided at Str. Iancu Zotta No. 6 in Czernovitz (Cernauti), Romania, and after 1940 at Carmen Sylva 5 in Timisoara. The Claimant indicated that Max von Anhauch died on 25 July 1945 in Timisoara.

The Claimant submitted various documents, including her grandfather’s and father’s death certificates; her father’s marriage certificate, indicating Max Anhauch as his father; her own birth certificate, indicating the name of her father, [REDACTED]; a document stating that her grandfather was ennobled with the title *Ritter* (knight) by the Austrian

¹ The CRT previously issued a Certified Award to the Claimant to the custody account of Max Ritter von Anhauch (approved by the Court on 1 January 2002).

emperor in August 1917 (thus, from this date onwards *von* was added before his last name); and a sample of her grandfather's signature, dated 24 September 1941. In addition, the Claimant submitted a document from the Romanian authorities, dated 28 February 1943, indicating that her father, according to an anti-Jewish law which was enacted on 27 October 1942, was excluded from his profession, *Functionar* (clerk), as of 30 June 1943, and another document, which excluded her father, according to a law which came into force on 13 August 1941, from the military service because he was Jewish. The Claimant indicated that she was born on 31 October 1937 in Cernauti.

Information Available in the Bank's Records

The Bank's records consist of an internal memorandum, a list of dormant accounts, an account statement, and printouts from the Bank's database. According to these records, the Account Owner was *Generalrat* (general counselor) Max Ritter von Anhauch, who resided in Cernauti, Romania. The Bank's records indicate that the Account Owner held a demand deposit account, numbered 658997, which was opened on 9 January 1941 or earlier. The amount in the account as of 31 December 1968 was 942.00 Swiss Francs. The Bank closed the account by fees and charges on 15 December 1996, at which time, the account balance was 31.50 Swiss Francs.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. Her grandfather's name matches the published name of the Account Owner. The Claimant identified her grandfather's city of residence as Cernauti, which matches unpublished information about the Account Owner contained in the Bank's records. Furthermore, the Claimant stated that her grandfather was a general director (*Generaldirektor*), which is consistent with unpublished information about the Account Owner's title, *Generalrat* (general counselor). In support of her claim, the Claimant submitted documents, including her grandfather's death certificate; her father's marriage certificate, indicating Max Anhauch as his father; her own birth certificate, indicating the name of her father, [REDACTED]; a document stating that her grandfather was ennobled with the title *Ritter* (knight) by the Austrian emperor in August 1917; and a sample of her grandfather's signature, dated 24 September 1941. The CRT notes that there are no other claims to this account. Taking all of these factors into account, the CRT concludes that the Claimant has plausibly identified the Account Owner.

Status of the Account Owner as a Victim of Nazi Persecution

The Claimant has made a plausible showing that the Account Owner was a Victim of Nazi Persecution. The Claimant stated that the Account Owner was Jewish, and that until his death in 1945 he resided under the pro-Nazi regime in Romania. The Claimant also

submitted documents from the Romanian authorities, dated 28 February 1943, indicating that the Account Owner's son, according to an anti-Jewish law which was enacted on 27 October 1942, was excluded from his profession as of 30 June 1943, and, according to a law which came into force on 13 August 1941, from the military service because he was Jewish.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting specific biographical information and documents, including her birth certificate indicating that [REDACTED] was her father, and her father's marriage certificate indicating that Max Anhauch was his father, demonstrating that the Account Owner was her grandfather. There is no information to indicate that the Account Owner has other surviving heirs.

The Issue of Who Received the Proceeds

The Bank's records indicate that the account was closed to bank fees.

Basis for the Award

The CRT has determined that an Award may be made in favor of the Claimant. First, the claim is admissible in accordance with the criteria contained in Article 18 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"). Second, the Claimant has plausibly demonstrated that the Account Owner was her grandfather, and that relationship justifies an Award. Finally, the CRT has determined that neither the Account Owner nor his heirs received the proceeds of the claimed account.

Amount of the Award

In this case, the Account Owner held one demand deposit account. The Bank's records indicate that the value of the demand deposit account as of 31 December 1968 was 942.00 Swiss Francs. According to Article 29 of the Rules, if the amount in a demand deposit account was less than 2,140.00 Swiss Francs, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be 2,140.00 Swiss Francs. The current value of the amount of the award is determined by multiplying the balance as determined by Article 29 by a factor of 12.5, in accordance with Article 31(1) of the Rules, to produce a total award amount of 26,750.00 Swiss Francs.

Scope of the Award

The Claimant should be aware that, pursuant to Article 20 of the Rules, the CRT will carry out further research on her claim to determine whether there are additional Swiss bank accounts to which she might be entitled, including research of the Total Accounts

Database (consisting of records of 4.1 million Swiss bank accounts which existed between 1933 and 1945).

Certification of the Award

The CRT certifies this Award for approval by the Court and payment by the Special Masters.

Claims Resolution Tribunal
31 December 2003