

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]
represented by [REDACTED]

in re Account of Delia Schiff-Giorgini

Claim Number: 221981/PY ¹

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the account of Delia Schiff-Giorgini (the “Account Owner”) at the [REDACTED] (the “Bank”).

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 his mother, [REDACTED] (also known as Delia) Schiff-Giorgini, née [REDACTED], who was born on 15 May 1909 in Paris, France, and was married to [REDACTED] (also known as [REDACTED]) Schiff-Giorgini on 12 March 1928 in Paris. The Claimant stated that his parents were divorced on 11 February 1937, and that his mother remarried on 23 June 1939 in Paris, to [REDACTED]. According to the Claimant, his mother, who was Jewish, was a housewife who resided in Paris until 1931 at 1 rue de Buenos Aires, and subsequently at 62 rue de la Tour until 1939. The Claimant stated that his mother fled at the beginning of the Second World War to the town of Gareoult in the south of France, where she remained in hiding from the Nazis until 1945, whereupon she returned to Paris. The Claimant further stated that his mother died on 9 November 1997 in Geneva, Switzerland. In support of his claim, the Claimant submitted extracts of his mother’s birth and marriage certificates, which indicate that she resided in Paris, France and that she was married to [REDACTED]; an extract of his own birth certificate; an excerpt from *Les Maréchaux de la Revolution et de la Monarchie de Juillet: Leur Famille et Leur Descendance* (The Marshals of the Revolution and the July Monarchy: Their Families and

¹ The Claimant submitted an additional claim to the account of [REDACTED], which is registered under the Claim Number 221980. The CRT will treat the claim to this account in a separate decision.

Their Descendants),² indicating that [REDACTED] is the son of [REDACTED] and [REDACTED] (also known as Delia) [REDACTED], who was married to [REDACTED] until 1937; and an excerpt from *Who's Who in France (fifth edition)*, indicating that [REDACTED] married *Mlle.* (Miss) Delia [REDACTED] on 12 March 1928. The Claimant indicated that he was born on 17 December 1931 in Paris.

Information Available in the Bank's Records

The Bank's records consist of an extract from a list of closed numbered accounts and printouts from the Bank's database. According to these records, the Account Owner was *Frau* (Mrs.) Delia Schiff-Giorgini, who resided in Paris, France. The Bank's records indicate that the Account Owner held an account of unknown type, numbered 60691. The account was closed on an unknown date to bank fees. The amount in the account on the date of its closure is unknown. There is no evidence in the Bank's records that the Account Owner or her heirs closed the account and received the proceeds themselves.

The CRT's Analysis

Identification of the Account Owner

The Claimant's mother's name and city of residence match the published name and city of residence of the Account Owner. The CRT notes that the Bank's records do not contain any specific information about the Account Owner other than her name and country and city of residence. The Claimant submitted extracts of his mother's birth and marriage certificates, which indicate that she resided in Paris, France, providing independent verification that the person who is claimed to be the Account Owner resided in the city recorded in the Bank's records as the residence of the Account Owner. These documents also indicate that Schiff-Giorgini was the Claimant's mother's married name, providing independent verification that the person who is claimed to be the Account Owner had the marital status recorded in the Bank's records as the marital status of the Account Owner. In addition, the CRT notes that the excerpt from *Les Maréchaux de la Revolution et de la Monarchie de Juillet: Leur Famille et Leur Descendance* (The Marshals of the Revolution and the July Monarchy: Their Families and Their Descendants), indicates that the Claimant is the son of [REDACTED] and [REDACTED] (also known as Delia) [REDACTED], who was married to [REDACTED] until 1937; and the excerpt from *Who's Who in France (fifth edition)*, indicates that [REDACTED] married *Mlle.* (Miss) Delia [REDACTED] on 12 March 1928. The CRT also notes that the name Schiff-Giorgini appears only once on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons Investigation ("ICEP" or the "ICEP Investigation") to be probably or possibly those of Victims of Nazi Persecution. Finally, the CRT notes that there are no other claims to this account. Taking all these factors into account, the CRT concludes that the Claimant has plausibly identified the Account Owner.

² The CRT notes that this book is an historical account of the families and descendants of the marshals involved in a historical event in France in 1848 called "the July Revolution."

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 she was forced to go into hiding in southern France in order to escape the Nazis.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that the Account Owner is his mother by submitting documents including an excerpt from *Les Maréchaux de la Revolution et de la Monarchie de Juillet: Leur Famille et Leur Descendance* (The Marshals of the Revolution and the July Monarchy: Their Families and Their Descendants), indicating that the Claimant is the son of [REDACTED] and [REDACTED] (also known as Delia) [REDACTED], who was married to [REDACTED] until 1937.

The Issue of Who Received the Proceeds

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

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 his mother, and that relationship justifies an Award. Finally, the CRT has determined that neither the Account Owner nor her heirs received the proceeds of the claimed account.

Amount of the Award

Pursuant to Article 29 of the Rules, when the value of an account is unknown, as is the case here, the average value of the same or a similar type of account in 1945 is used to calculate the current value of the account being awarded. Based on the ICEP investigation, in 1945 the average value of an account of unknown type was 3,950.00 Swiss Francs. The current value of this amount is calculated by multiplying it by a factor of 12.5, in accordance with Article 31(1) of the Rules, to produce a total award amount of 49,375.00 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 his claim to determine whether there are additional Swiss bank accounts to which he 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
September 15, 2003