

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant [REDACTED]

**in re Account of Frida Schiff**

Claim Number: 501031/CC/JK<sup>1</sup>

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the account of [REDACTED].<sup>2</sup> This Award is to the published account of Frida Schiff (the “Account Owner”) at the Geneva branch of 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 Frida Schiff, his father’s maternal cousin, who was the daughter of [REDACTED], née [REDACTED]. The Claimant indicated that the Schiff family, who was Jewish, lived in Riga, Latvia, during most of the 1930s. The Claimant stated that he did not know the name of his great-aunt’s husband, but that his great-aunt’s children included [REDACTED], [REDACTED], née [REDACTED], [REDACTED], and Frida Schiff. The Claimant also stated that his great-aunt and her family perished in Latvia sometime after 1941. The Claimant indicated that his paternal grandmother, [REDACTED], the sister of [REDACTED], perished in approximately 1941 in the Zeleny Yar Ghetto. According to the Claimant, his grandmother, [REDACTED], had two children: [REDACTED], who was the Claimant’s uncle, and [REDACTED], who was the Claimant’s father.

The Claimant stated that he and his parents were forced to live in the Ghetto, that he and his mother survived and were released in 1944, but that his father perished. The Claimant stated that his mother died in 1981, that his uncle died in 2000 in the United States, and that he is the only

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<sup>1</sup> The Claimant submitted additional claims to the account of [REDACTED] and [REDACTED], which are registered under the Claim Numbers 218966 and 218967. In a separate decision, the Claimant was awarded this account. See *In re Account of Josef and [REDACTED]*, which was approved by the Court on 31 December 2002.

<sup>2</sup> The claim to this account will be treated in a separate decision.

surviving heir of his great-aunt. In support of his claim, the Claimant submitted a copy of a photograph of a person whom the Claimant identified as [REDACTED] and his uncle's birth certificate, indicating that [REDACTED]'s mother (the Claimant's grandmother) was [REDACTED].

The Claimant stated that he was born on 17 May 1937 in Odessa, the Ukraine.

### **Information Available in the Bank's Records**

The Bank's records consist of extracts from the Bank's ledgers. According to these records, the Account Owner was *Mademoiselle* (Miss) Frida Schiff. The Bank's records do not contain information about the Account Owner's domicile. The Bank's records indicate that the Account Owner held one account, numbered M 13721, the type of which is not indicated. The Bank's records show that the account was considered dormant by the Bank and was transferred in November 1937 to a suspense account for dormant assets. According to these records, the balance of the account was 5 shillings and 4 pence in Pounds Sterling as of 20 November 1940, which was equivalent to 4.30 Swiss Francs ("SF").<sup>3</sup> The Bank's records indicate that the account was closed by fees on 10 February 1949. The amount in the account on the date of its closure remained SF 4.30.

### **The CRT's Analysis**

#### Identification of the Account Owner

The name of the Claimant's father's cousin matches the published name and title of the Account Owner. The Claimant indicated that his relative was unmarried, which matches the unpublished marital status 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 title.

The CRT notes that the name Frida Schiff appears only once on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons ("ICEP") to be probably or possibly those of victims of Nazi persecution (the "ICEP List"). The CRT also 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.

#### 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 perished in Nazi-occupied Latvia sometime after 1941. The Claimant further stated that the other members of her family were forced into the Zeleny Yar Ghetto, where most of them perished.

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<sup>3</sup> The CRT uses official exchange rates when converting foreign currency.

### The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is related to the Account Owner by submitting specific information, demonstrating that the Account Owner was the Claimant's father's cousin. There is no information to indicate that the Account Owner has other surviving heirs. The CRT notes that the Claimant identified unpublished information about the Account Owner as contained in the Bank's records. The CRT further notes that the Claimant submitted a copy of a photograph of a person whom the Claimant identified as the Account Owner's mother, [REDACTED]. Furthermore, the CRT notes that the foregoing information and photograph are of the type that family members would possess and indicates that the Account Owner was well known to the Claimant as a family member. All this information supports the plausibility that the Claimant is related to the Account Owner, as he has asserted in his Claim Form.

### The Issue of Who Received the Proceeds

The Bank's records indicate that the account was transferred to a suspense account in November 1937 and was closed by fees on 10 February 1949.

### 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 father's cousin, and that relationship justifies an Award. Third, the CRT has determined that neither the Account Owner nor her heirs received the proceeds of the claimed account.

### Amount of the Award

In this case, the Account Owner held one account of unknown type. The Bank's records indicate that the value of the account on 20 November 1940 was SF 4.30. According to Article 29 of the Rules, if the amount in an account of unknown type was less than SF 3,950.00, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be SF 3,950.00. 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 SF 49,375.00.

### **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  
13 May 2005