

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant Agnes Sjöholm

**in re Account of Alois Schlesinger**

Claim Number: 215331/MBC

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of Agnes Sjöholm, née Schlesinger, (the “Claimant”) to the account of Alois Schlesinger (the “Account Owner”) at the Zurich branch of the [REDACTED] (the “Bank”).

All awards are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

### **Information Provided by the Claimant**

The Claimant submitted a Claim Form identifying the Account Owner as her paternal uncle, Alois (or Louis) Schlesinger. The Claimant stated that her uncle was an agronomist, who was born to Alexandre Schlesinger and Irma Schlesinger, née Singer, in Czechoslovakia or Austria and owned a farm in Bodog, Czechoslovakia. The Claimant stated that her uncle, who was Jewish, was married several times but had no children. The Claimant further stated that her uncle was a member of the Czechoslovakian resistance movement and was hiding in Czechoslovakia when he was arrested and murdered by the Nazis in 1944 or 1945. In support of her claim, the Claimant provided a copy of a photograph of her uncle and excerpts from her written memoirs. The Claimant indicated that she was born on 3 November 1925 in Vienna, Austria.

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

The Bank’s records consist of lists from suspense account ledgers and printouts from the Bank’s database. According to these records, the Account Owner was Alois Schlesinger. The Bank’s records do not indicate the country of residence of the Account Owner, nor do they indicate the type of account held by the Account Owner or the date on which it was opened. The Bank’s records show that the account was transferred to a suspense account, which is a grouping of open and dormant accounts, on 30 June 1937. The amount in the account on the date of its transfer

was 30.00 Swiss Francs and the account was closed by the Bank to profit and loss on an unknown date.

## **The CRT's Analysis**

### Identification of the Account Owner

The Claimant's uncle's name matches the published name of the Account Owner. The CRT notes that the Bank's records do not contain any specific information about the Account Owner other than his name. However, the CRT notes that a database containing the names of Victims of Nazi Persecution includes a person named Alois Schlesinger, and indicates that his domicile was Czechoslovakia, which is consistent with the information about the Account Owner provided by the Claimant. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel. The CRT also notes that there are no other claimants to the 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 hiding in Czechoslovakia when he was arrested and murdered by the Nazis in 1944 or 1945. As noted above, a person named Alois Schlesinger was included in the CRT's database of victims. While the Account Owner was probably not formally a victim of Nazi persecution when the account was placed in a suspense account in 1937, he was plausibly such a victim when on an unknown date his account was paid to the Bank's profit and loss account, given that he was murdered by the Nazis in 1944 or 1945.

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

The Claimant has plausibly shown that she is related to the Account Owner by submitting documents, including excerpts from her memoirs relating to the life of her uncle as well as documents detailing biographical details about her uncle, demonstrating that she is the Account Owner's niece. The Claimant has further stated that her uncle died without issue.

### The Issue of Who Received the Proceeds

The Bank's records indicate that the account was closed by the Bank to profit and loss. Therefore, the Account Owner or his heirs have not received the proceeds of the account.

### 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 uncle, 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 account of unknown type. The Bank's records indicate that the value of the account at the time of its collectivization in 1937 was 30.00 Swiss Francs. According to Article 29 of the Rules, if the amount in an account of an unknown type was less than 3,950.00 Swiss Francs, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be 3,950.00 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 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 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  
September 30, 2003