

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant [REDACTED]<sup>1</sup>

**in re Account of Heinz Schneider**

Claim Number: 004638/AY

Award Amount: 10,375.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the published account of Heinz Schneider (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 her father, Heinz (Chaim) Schneider, who was born to [REDACTED] and [REDACTED] on 5 November 1916 in Berlin, Germany, and was married to [REDACTED] on 28 February 1950 in Israel. The Claimant indicated that her grandfather, [REDACTED], was a supervisor in a telephone manufacturing firm and that her grandmother was a saleslady. The Claimant stated that her father, who was Jewish, was an apprentice welder at *Mix & Genest A.G.* in Berlin between 1 April 1931 and 31 March 1935, and that shortly after he was certified as a welder in March 1935, he escaped from Germany to Israel. The Claimant indicated that her paternal grandparents remained in Berlin and perished in the Holocaust. The Claimant stated that her father passed away on 6 January 1990 in Israel.

In support of her claim, the Claimant submitted a certificate of professional qualification, issued on 20 March 1935 in Berlin, indicating that her father was named Heinz Schneider and that he was born on 5 November 1916 in Berlin, and her father’s marriage certificate indicating that he was Jewish and that he was a welder. The Claimant also submitted an inheritance injunction (in Hebrew), dated 28 February 1990, indicating that the Claimant is

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<sup>1</sup> The Claimant provided her name and some of her relatives’ names only in Hebrew characters in the Claim Form. For the purpose of this written decision, the CRT has transliterated these names into Latin characters. However, to match names provided in the Claim Form with names contained in the banks’ databases, the CRT has used a database created by Yad Vashem, Israel, which provided different variations in Latin characters for each of the names.

the daughter of Chaim Schneider and his sole heir. The Claimant indicated that she is her father's only child and that she was born on 18 December 1953 in Israel.

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

The Bank's records consist of lists of accounts and printouts from the Bank's database. According to these records, the Account Owner was Heinz Schneider. The Bank's records do not indicate the Account Owner's city or country of residence. The Bank's records indicate that the Account Owner held a savings/passbook account which was opened on 24 April 1927 and was transferred to a suspense account for dormant assets on 12 September 1980. The amount in the account on the date of its transfer was 1,410.95 Swiss Francs. The account remains in the Bank's suspense account.

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

#### Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. The Claimant's father'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. In support of her claim, the Claimant submitted a certificate of professional qualification, issued on 20 March 1935 in Berlin, indicating that that her father was named Heinz Schneider and that he was born on 5 November 1916 in Berlin. The CRT further notes that the name Heinz Schneider appears only once on the February 2001 published list of accounts determined by ICEP to be probably those of victims of Nazi persecution. The CRT further notes that the other claims to this account were disconfirmed because those claimants provided documents indicating a different spelling of the first name than the spelling of the first name of the Account Owner. 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, escaped Nazi Germany in the mid-1930s, and added that the Account Owner's parents perished in the Holocaust.

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

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting specific information and documents, including an inheritance injunction (in Hebrew), dated 28 February 1990, demonstrating that the Account Owner was her father and indicating that the Claimant is his sole heir. 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 transferred to a suspense account for dormant assets, where it remains.

### 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 father, 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 savings/passbook account. The Bank's records indicate that the value of the savings/passbook account as of 12 September 1980 was 1,410.95 Swiss Francs. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of 545.00 Swiss Francs, which reflects standardized bank fees charged to the savings/passbook account between January 1945 and September 1980. This amount is reduced by 1,174.82 Swiss Francs, to reflect interest paid to the account at issue. Consequently, the adjusted balance of the account at issue is 781.13 Swiss Francs. According to Article 29 of the Rules, if the amount in a savings/passbook was less than 830.00 Swiss Francs and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be 830.00 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 10,375.00 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  
8 June 2004