

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant Vittorio Segre

## **in re Account of Vittorio Segre**

Consolidated Claim Number: 203695/JA<sup>1</sup>

Award Amount: 25,680.00 Swiss Francs

This Certified Award is based upon the claim of Vittorio Segre (the “Claimant”) to the account of Vittorio Segre (the “Account Owner”) at the Lugano 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 two Claim Forms indicating that he is the Account Owner. The Claimant stated that he was born on 4 December 1922 in Rivoli, Italy, and that he was married to [REDACTED], née [REDACTED], with whom he has two children. The Claimant indicated that he is the son of [REDACTED] and [REDACTED], née [REDACTED], and that he resided at Via Boetti 33 in Govone, Italy. The Claimant further stated that he is Jewish and explained that he was expelled from school in 1938, and that he emigrated to Palestine in 1939. The Claimant added that he was deprived of his Italian citizenship in 1940, but returned to Italy after the war. In support of his claim, the Claimant submitted a copy of his identity card, delivered by the municipality of Govone.

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

The bank records consist of a set of printouts from the Bank. According to these records, the Account Owner was “Vittorio Segre fu Arturo” who resided at Via Boetti 33 in Govone, Italy. The bank records indicate that the Account Owner held a demand deposit account numbered 071005 in U.S. Dollars and that the amount in the account in 1988 was the equivalent of 380.73

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<sup>1</sup> The Claimant submitted two Claim Forms, which were registered under the Claim Numbers 203695 and 218212. The CRT has determined that these claims are duplicate claims and is treating them under the Consolidated Claim Number 203695.

Swiss Francs. The bank records further indicate that the account was closed to fees and charges on 31 January 1996. There is no evidence in the bank records that the Account Owner or his heirs closed the account and received the proceeds themselves. The amount in the account on this date of closure was 0.16 Swiss Francs.

## **The CRT's Analysis**

### Identification of the Account Owner

The Claimant provided plausible evidence that he is the Account Owner. Specifically, the Claimant's name matches the published name of the Account Owner, and his street address in Govone, Italy, matches the unpublished address of the Account Owner. In addition, the second unpublished name in the bank records (Arturo) matches the first name of the Claimant's father.

### Status of the Account Owner as a Victim of Nazi Persecution

The Claimant has provided plausible evidence that he was a Victim of Nazi Persecution. The Claimant has indicated that he was Jewish and that he emigrated from Italy to Palestine in 1939 after being expelled from school in 1938. The Claimant stated that he lost his Italian citizenship in 1940.

### The Issue of Who Received the Proceeds

The bank records indicate that the Account Owner's account was closed on 31 January 1996 as a result of the imposition of bank fees. Therefore, it is clear that the Account Owner has 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 claimed account belonged to a Victim of Nazi Persecution. Second, the Claimant has plausibly demonstrated that he is the Account Owner, which justifies an Award. Finally, the CRT has determined that the Account Owner did not receive the proceeds of the claimed account.

### Amount of the Award

The Bank records indicate that the value of the account in 1988 was the U.S. Dollar equivalent of 380.73 Swiss Francs. In accordance with Article 37(1) of Rules, this amount is increased by an adjustment of 705.00 Swiss Francs, which reflects standardized bank fees charged to the demand deposit account between 1945 and 1988. Consequently, the adjusted balance of the account at issue is 1,085.73 Swiss Francs. According to Article 35 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 present value of the amount of the award is determined by multiplying the balance as determined by Article 35 by a factor of 12, in accordance with Article 37(1) of the Rules, to produce a total award amount of 25,680.00 Swiss Francs.

Article 37(3)(a) of the Rules provides that where the value of an award is calculated using the value presumptions provided in Article 35 of the Rules, the initial payment to the claimant shall be 35% of the Certified Award, and the claimant may receive a second payment of up to 65% of the Certified Award when so determined by the Court. In this case, the CRT has used the value presumptions of Article 35 of the Rules to calculate the account value and 35% of the total award amount is 8,988.00 Swiss Francs.

### **Scope of the Award**

The Claimant should be aware that, pursuant to Article 25 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 for payment by the Special Masters.

Claims Resolution Tribunal