

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant Andre Roderich Lewin

## **in re Account of Georges Seligmann**

Claim Number: 211733/AH

Award Amount: 25,680.00 Swiss Francs

This Certified Award is based upon the claim of Andre Roderich Lewin (the “Claimant”) to the account of Georges Seligmann (the “Account Owner”) at [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 and a family tree identifying the Account Owner as his father’s cousin, Georges Seligmann, who was born on 18 January 1896 in Paris, France. The Claimant stated that the Account Owner’s parents were Simon Seligmann and Adele Clementine Seligmann, née Oppenheim, and that he was married to Edna Seligmann, née Horn. The Claimant stated that the Account Owner did not have any children. The Claimant further stated that the Account Owner, who was Jewish, worked as an antiques merchant and lived in Paris and in Vichy, France, until 1940, when he fled to the United States, where he lived in New York City. The Claimant further stated that until his death on 2 June 1998 in New York City, the Account Owner lived at 35 East 84<sup>th</sup> Street, New York City, U.S.A. In a telephone conversation with the CRT on 29 April 2002, the Claimant stated that although he could not properly recall his father’s cousin’s Paris address, he was positive it was in the 16<sup>th</sup> Arrondissement on Rue Jules Sandoz, where the Account Owner lived with his mother. The Claimant recalled that while he was living in Paris, the Account Owner moved to rue de La Paix. The Claimant further stated that he did not know if the Account Owner tried to close his account after he moved to the United States, and also did not know the reason why he would not have closed the account, but he said he knew his relative left money in France or in Switzerland when he fled to the United States, to provide for his parents. The Claimant submitted a copy of the Account Owner’s will, dated 12 June 1991, pursuant to which the Claimant inherited some of the Account Owner’s property. The Claimant stated that he was born on 26 January 1934 in Frankfurt, Germany.

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

The bank records consist of copies of extracts of a bank ledger card, an account opening card, and printouts from the Bank's database. According to these records, the Account Owner was Georges Seligmann, and his address was listed as 3 Parc Monceau Avenue, in the 16th Arrondissement, Paris. The bank records indicate that the Account Owner held a demand deposit account, which was opened at an unknown date. The bank records further indicate that at some stage the account was frozen pursuant to a federal decree dated 6 July 1940, and that on 1 May 1946, a new registry card was opened for the account. As indicated in the bank records, on 19 March 1947, the Bank gave an order to withhold all mail to the Account Owner after letters sent to him by the Bank had been returned. The account opening card further indicates that on 13 October 1949, the value of the account was 7.00 Swiss Francs, and that on 13 October 1949, the account was suspended by the Bank. The amount in the account on the date of its suspense was 7.00 Swiss Francs. The bank records indicate that the account remains open and dormant.

## **The CRT's Analysis**

### Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. His father's cousin's name matches the published name of the Account Owner. Furthermore, the Claimant stated that although he did not properly recall his father's cousin's Paris address, he was certain that it was in the 16th arrondissement in Paris, which matches the unpublished information about the Account Owner's address contained in the bank documents. In support of his claim, the Claimant submitted documents, including his father's cousin's will, in which his father's cousin's name and family name were spelled in the same way as the Account Owner's. Finally, the Claimant stated that in 1940, his father's cousin moved to the United States, which corresponds to the indication in the Bank's records that the letters sent to his Paris address were returned.

### 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 lived in France in 1940, until German occupation, when he fled to the United States.

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

The Claimant has plausibly demonstrated that he is related to the Account Owner by submitting a family tree and his father's cousin's will, the latter clearly indicating that George Seligmann was the Claimant's father's cousin. The Claimant provided information and documents regarding his father's cousin's addresses, his occupation, his parent's and wife's names, and his whereabouts until his death in 1998.

### The Issue of Who Received the Proceeds

The bank records indicate that the account at issue remains open and dormant.

### 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 23 of the Rules. Second, the Claimant has plausibly demonstrated that the Account Owner was his father's cousin, and that relationship justifies an Award. Finally, the CRT has determined that it is plausible that neither the Account Owner nor his heirs received the proceeds of the claimed account.

### Amount of the Award

The bank records indicate that the value of the demand deposit account as of 13 October 1949 was 7.00 Swiss Francs. In accordance with Article 37(1) of the Rules, this amount is increased by an adjustment of 15.00 Swiss Francs, which reflects standardized bank fees charged to the demand deposits account between 1945 and 13 October 1949. There was no interest paid to the account at issue. Consequently, the adjusted balance of the account at issue is 22.00 Swiss Francs. According to Article 35 of the Rules, if the amount in a demand deposit 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