

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]
represented by Eliezer Glanzer

in re Account of Leopold Singer

Claim Number: 210937/WT

Award Amount: 26,750.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the account of Ignatz Singer.¹ This Award is to the published account of Leopold Singer (the “Account Owner”), over which Paula Singer (the “Power of Attorney Holder”) held power of attorney, at the Zurich 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 his cousin, Leopold Singer, who lived in Vienna, Austria. The Claimant indicated that his cousin, who was Jewish, worked for the firm *Braun et Co*, which had offices in Vienna and Berlin, Germany. In a telephone call with the CRT, the Claimant stated that his cousin was married to Paula Singer, that he was dismissed from his job because he was Jewish, and that both he and his wife were deported to a concentration camp, where they perished.

In support of his claim, the Claimant submitted copies of the following documents: (1) his own work permit, indicating that [REDACTED] was born on 25 May 1922 in Budapest, Hungary; and (2) a detailed family tree, which indicated that Leopold Singer and [REDACTED] were both the grandchildren of [REDACTED] and [REDACTED], née [REDACTED]. The Claimant indicated that he was born on 25 May 1922 in Budapest, Hungary.

¹ The CRT did not locate an account belonging to Ignatz Singer in the Account History Database prepared pursuant to the investigation of the Independent Committee of Eminent Persons (“ICEP” or “ICEP Investigation”), which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules Governing the Claims Resolution Process, as amended (the “Rules”).

Information Available in the Bank's Record

The Bank's record consists of a power of attorney form. According to this record, the Account Owner was Leopold Singer, who resided at Gumpendorferstrasse 25, Vienna, Austria, and the Power of Attorney Holder was Mrs. (*Frau*) Paula Singer, who also resided at Gumpendorferstrasse 25.

The Bank's record indicates that the Account Owner held a demand deposit account, which was opened on 7 October 1929. The Bank's record indicates that the account was closed, but does not show when the account at issue was closed, nor does this record indicate the value of this account.

There is no evidence in the Bank's records that the Account Owner, the Power of Attorney Holder, or their heirs closed the account and received the proceeds themselves.

Information Available from the Austrian State Archive

By decree on 26 April 1938, the Nazi Regime required all Jews who resided within the Reich, or who were nationals of the Reich, including Austria, and who held assets above a specified level to register all their assets as of 27 April 1938 (the "1938 Census"). In the records of the Austrian State Archive (Archive of the Republic, Finance), there are documents concerning the assets of Leopold Singer and Paula Singer, numbered 27607 and 47557, respectively.

These records indicate that Leopold Singer was born on 14 July 1883, that he was married to Paula Singer, née Winkler, who was born on 12 October 1894, and that they both lived at Gumpendorferstrasse 25, Vienna, Austria. These records further indicate that Leopold Singer worked as a procurement officer (*Prokurist*), and that on 30 June 1938 he was dismissed from his job without notice. These records make no mention of assets held in a Swiss bank account.

The CRT's Analysis

Identification of the Account Owner

The Claimant's cousin's name and city and country of residence match the published name and city and country of residence of the Account Owner. The Claimant also identified the Power of Attorney Holder's name, which matches the published name of the Power of Attorney Holder. Additionally, the Claimant identified the city and country of residence of the Power of Attorney Holder, which matches the unpublished city and country of residence of the Power of Attorney Holder.

In support of his claim, the Claimant submitted documents, including a detailed family tree, providing independent verification that the person who is claimed to be the Account Owner had the same name and resided in the same town recorded in the Bank's record as the name and city of residence of the Account Owner. The CRT notes that the name Leopold Singer appears only

once on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons to be probably or possibly those of victims of Nazi persecution (“ICEP” or the “ICEP List”).

The CRT notes that the other claims to this account were disconfirmed because those claimants provided a different country of residence or spouse’s name than the country of residence or spouse’s 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, and that after being dismissed from his job because he was Jewish, he and his wife were deported to a concentration camp, where they perished.

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 and documents, demonstrating that the Account Owner was the Claimant’s great-uncle. These documents include a copy of a detailed family tree, which indicated that Leopold Singer and [REDACTED] were both the grandchildren of [REDACTED] and [REDACTED], née [REDACTED]. There is no information to indicate that the Account Owner has other surviving heirs.

The Issue of Who Received the Proceeds

The Bank’s record indicates that the account was closed on an unknown date. Given that the Account Owner and his wife perished in a concentration camp; that there is no record of the payment of the Account Owner’s account to him nor any record of a date of closure of the account; that the Account Owner and his heirs would not have been able to obtain information about his account after the Second World War from the Bank due to the Swiss banks’ practice of withholding or misstating account information in their responses to inquiries by account owners because of the banks’ concern regarding double liability; and given the application of Presumptions (h) and (j), as provided in Article 28 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”) (see Appendix A), the CRT concludes that it is plausible that the account proceeds were not paid to the Account Owner, the Power of Attorney Holder, or their heirs. Based on its precedent and the Rules, the CRT applies presumptions to assist in the determination of whether or not Account Owners or their heirs received the proceeds of their accounts.

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. Second, the Claimant has plausibly demonstrated that the Account Owner was his cousin, and that

relationship justifies an Award. Third, the CRT has determined that it is plausible that neither the Account Owner, the Power of Attorney Holder, nor their heirs received the proceeds of the claimed account.

Amount of the Award

In this case, the Account Owner held one demand deposit account. Pursuant to Article 29 of the Rules, when the value of an account is unknown, as is the case here, the average value of the same or a similar type of account in 1945 is used to calculate the current value of the account being awarded. Based on the investigation carried out pursuant to the instructions of ICEP (the “ICEP Investigation”), in 1945 the average value of a demand deposit account was 2,140.00 Swiss Francs (“SF”). The current value of this amount is calculated by multiplying it by a factor of 12.5, in accordance with Article 31(1) of the Rules, to produce a total award amount of SF 26,750.00.

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
24 September 2008