

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant [REDACTED]

**in re Account of S. Singer**

Claim Number: 206515/PY

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the account of S. Singer (the “Account Owner”) 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 and two Initial Questionnaires identifying the Account Owner as her paternal grandfather, Shabtai Singer, who was born in 1884 in Czernowitz, Romania, to [REDACTED] and [REDACTED], and was married to [REDACTED], née [REDACTED], in 1907, also in Czernowitz. The Claimant stated that her grandfather resided in Czernowitz at Jankov Flandor Street, where he also ran a successful business as a jewelry and precious stones trader. The Claimant added that her grandparents had one son, [REDACTED], who was the Claimant’s father. The Claimant stated further that her grandfather, his business partner from Frankfurt am Main, Germany, and her father traveled together to Zurich and Basel, Switzerland to deposit money in a bank. According to the Claimant, her grandfather, who was Jewish, was deported by the Nazis to a concentration camp in Mogilov (presently in Belarus) in 1941, where he and his wife were killed. In a telephone conversation with the CRT on 12 December 2002, the Claimant stated that she did not know if her grandfather held a title but that it was possible. The Claimant indicated that she was born on 13 January 1963 in Tel Aviv, Israel.

The Claimant previously submitted two Initial Questionnaires with the Court in 1999, asserting her entitlement to a Swiss bank account containing precious stones and 500 gold coins owned by Shabtai Singer of Czernowitz, Romania, and provided identical information as in her Claim Form. In her Initial Questionnaire, the Claimant also stated that she is her grandfather’s only heir.

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

The Bank's records consist of extracts from two suspense account ledgers. According to these records, the Account Owner was Dr. S. Singer, who resided in Romania. The Bank's records indicate that the Account Owner held an account of unknown type numbered 18644. The account was transferred on 7 December 1948 to a suspense account. The amount in the account on the date of its transfer was 69.00 Swiss Francs.

The Bank's records do not show when the account at issue was closed or to whom it was paid. The auditors who carried out the investigation of this bank to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons ("ICEP" or the "ICEP Investigation") did not find this account in the Bank's system of open accounts, and they therefore presumed that it was closed. These auditors indicated that there was no evidence of activity on this account after 1945. There is no evidence in the Bank's records that the Account Owner or his heirs closed the account and received the proceeds themselves.

## **The CRT's Analysis**

### Identification of the Account Owner

The Claimant's grandfather's name matches the published name of the Account Owner. The Claimant stated that her grandfather resided in Romania, which matches the published information about the Account Owner contained in the Bank's record. The CRT notes that the Bank's records do not contain any specific information about the Account Owner other than his name and country of residence. The CRT notes that the Claimant filed two Initial Questionnaires with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Shabtai Singer of Czernowitz, Romania, prior to the publication in February 2001 of the list of accounts determined by ICEP to be probably or possibly those of Victims of Nazi Persecution (the "ICEP List"). This indicates that the Claimant has based her present claim not simply on the fact that an individual identified on the ICEP List as owning a Swiss bank account bears the same name as her relative, but rather on a family relationship that was known to her before the publication of the ICEP List. It also indicates that the Claimant had reason to believe that her relative owned a Swiss bank account prior to the publication of the ICEP List. This supports the credibility of the information provided by the Claimant. The CRT notes that the other claims to this account were disconfirmed due to inconsistent information regarding the account owner's country of residence, first name and occupation provided by the other claimants. 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 he and his wife were killed by the Nazis in a concentration camp in Mogilov in 1941.

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

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting specific biographical information and a family tree demonstrating that she is the Account Owner's granddaughter. There is no information to indicate that the Account Owner has other surviving heirs.

### The Issue of Who Received the Proceeds

Given that the Account Owner and his wife were killed by the Nazis in a concentration camp in Mogilov in 1941 and the account was in existence until 1948 when it was transferred to a suspense account; and given the application of Presumptions (h), (i) 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 Owners 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 her grandfather, 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

In this case, the Account Owner held one account of unknown type. The Bank's records indicate that the value of the account of unknown type as of 7 December 1948 was 69.00 Swiss Francs. According to Article 29 of the Rules, if the amount in an account of 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 15, 2003