

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant Henrietta Hardy, née Strauss

**in re Account of Karoline Sonnenfeld**

Claim Number: 203138/MBC

Award Amount: 961,650.00 Swiss Francs

This Certified Award is based upon the claim of Henrietta Hardy, née Strauss, (the “Claimant”) to the account of Richard Sonnenfeld.<sup>1</sup> This Award is to the account of Karoline Sonnenfeld (the “Account Owner”) at the Zurich branch of the [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 identifying the Account Owner as her maternal grandmother, Karoline Sonnenfeld, née Löwy, who was born on 24 October 1876 in Vienna, Austria. The Claimant stated that Karoline Löwy was married to Hermann Sonnenfeld, and that the couple had two children: Richard Sonnenfeld, who was born on 10 September 1900 in Vienna, and Elsa Strauss née Sonnenfeld, the Claimant’s mother. The Claimant indicated that that her grandmother, who was Jewish, lived in Vienna at Gärtnergasse 8. The Claimant stated that her grandmother’s property was confiscated by the Nazis and that on 23 October 1941 Karoline Sonnenfeld was deported to the ghetto in Lodz, Poland, where she perished. The Claimant stated further that her uncle, Richard Sonnenfeld, died in Vienna in 1987 without leaving any children, and that her mother died in 1988. The Claimant indicated that she was born on 21 April 1920 in Vienna. In support of her claim, the Claimant submitted: her birth and marriage certificates, indicating that her mother was Else Strauss, née Sonnenfeld; as well as an Austrian census record filed by Richard Sonnenfeld on behalf of Karoline Sonnenfeld with the Nazi authorities in July 1938; decisions regarding various discriminatory taxes assessed to

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<sup>1</sup> See In re Account of Richard Sonnenfeld (approved on 24 April 2003) (noting that the Claimant identified her uncle’s street address in Vienna, which matched Richard Sonnenfeld’s unpublished address contained in the bank’s documents).

Karoline Sonnenfeld by the Nazi financial authorities; and a press article describing confiscation of assets hidden by Karoline Sonnenfeld.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Karoline Sonnenfeld.

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

The CRT notes that 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 any records relating to an account owned by Karoline Sonnenfeld.

### **Information Available from the Austrian State Archives**

By decree on 26 April 1938, the Nazi Regime required Jews residing within Austria who held assets above a specified level to submit a census form registering their assets. In the records of the Austrian State Archives (Archive of the Republic, Finance), there are documents concerning the assets of Karoline Sonnenfeld, numbered 42011. These records indicate that Karoline Sonnenfeld, who was born on 24 October 1876, resided at Gärtnergasse 8 in Vienna. According to the Austrian census records, Karoline Sonnenfeld owned one-fourth of a house at Langegasse 2, held accounts in Austrian banks, and owned various securities. The total assets owned by Karoline Sonnenfeld were valued at 124,237.00 Reichsmarks as of 1938. The Austrian census records show that Karoline Sonnenfeld was assessed various discriminatory taxes by the Nazi financial authorities.

The Austrian census records also contain an article from the official Nazi party newspaper, *Völkischer Beobachter*, stating that the police found and confiscated foreign currencies hidden by Karoline Sonnenfeld in her coal cellar.<sup>2</sup> This article indicates that Karoline Sonnenfeld held a safe deposit box account at the Zurich branch of the Bank. According to the article, a further

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<sup>2</sup> "Due to a confidential tip, the police learned that the Jew Karoline Sonnenfeld was hiding foreign currencies under coal in her cellar, which she intended to take abroad at a particular time. A box with Pounds Sterling, Dollars, Swiss Francs, Lire and Goldrubel worth many hundred Reichsmarks were found during a search of the cellar. Moreover, records were found showing that the Jew also held a safe deposit box with a substantial amount in Pounds Sterling at [REDACTED] in Zurich. Search of the house produced a key to this safe, also found in Mrs. Sonnenfeld's apartment. After further investigation, 3,600 Pounds Sterling were seized. Before the house search, the Jew had resolutely denied hiding foreign currency in her house, but she finally admitted that she intended to take substantial assets to Switzerland. The Jew Sonnenfeld must answer for the offense against the *Devisenverordnung* [Law regarding the Foreign Exchange Control] before a court of lay assessor, presided by the council of the Higher Regional Court, Doctor Kunze."

investigation resulted in the seizure of 3,600.00 Pounds Sterling, apparently in the safe deposit box in the Bank.

## **The CRT's Analysis**

### Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. Her grandmother's name, address and date of birth match the unpublished name, address and date of birth of the Account Owner contained in the Austrian census records. Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a person named Karoline Sonnenfeld, and indicates that her date of birth was 24 October 1876, which matches the information about the Account Owner provided by the Claimant. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel.

The CRT notes that the Claimant filed an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Karoline Sonnenfeld. The CRT notes that there are no other claims to this account. 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 was deported to Lodz where she perished. As noted above, a person named Karoline Sonnenfeld was included in the CRT's database of victims.

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

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting documents and detailed biographical information, demonstrating that the Account Owner was her maternal grandmother. The CRT notes that the Claimant submitted copies of her own marriage and birth certificates, indicating that her mother was Else Strauss, née Sonnenfeld; that the Claimant filed an Initial Questionnaire with the Court in 1999, identifying her relationship to her grandmother, Karoline Sonnenfeld; and that a person named Karoline Sonnenfeld was included in the CRT's database of victims, and indicated that her date of birth was 24 October 1876, which matched the information about the Claimant's maternal grandmother provided by the Claimant. There is no information to indicate that the Account Owner has other surviving heirs.

### The Issue of Who Received the Proceeds

The Nazi newspaper article included in the Austrian census records shows that it is plausible that the contents of the safe deposit box were confiscated by the Nazis. The Nazi newspaper article stated that the police found and confiscated foreign currencies hidden by Karoline Sonnenfeld in her coal cellar; that Karoline Sonnenfeld held a safe deposit box account at the Zurich branch of the Bank; and that a further investigation resulted in the seizure of 3,600.00 Pounds Sterling, apparently from the safe deposit box at the Bank. In the context of the inclusion of this article in the official Nazi Party newspaper that was included in the Account Owner's file in the Austrian census records, the CRT concludes that it is plausible for the CRT to rely on this information to determine that the Account Owner did not receive the proceeds of the account and to determine the value of the account (see section titled Amount of the Award, below).

### 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 grandmother, and that relationship justifies an Award. Finally, the CRT has determined that neither the Account Owner nor her heirs received the proceeds of the claimed account.

### Amount of the Award

In this case, the Account Owner held one safe deposit box. Where the value of an account is not available in bank records, the CRT uses average values, based on the value of the same or similar type of account in 1945, unless credible evidence to the contrary. In this case, according to an article in the official Nazi Party newspaper contained in the file for Karoline Sonnenfeld in the Austrian State Archives, the Account Owner held a safe deposit box at the Bank, and that further investigation indicated that this safe contained 3,600.00 Pounds Sterling. In view of the fact that this article appeared in the official Nazi Party newspaper, and in the context of the events affecting the Jewish population of Vienna after the *Anschluss*, as demonstrated by numerous cases reviewed by the CRT of confiscation of assets, the CRT concludes that this article constitutes a plausible statement of the value of the confiscated assets of the Account Owner. The CRT, therefore, concludes that, as stated in the article, the amount in the safe deposit box was 3,600.00 Pounds Sterling, which was the equivalent of 76,932.00 Swiss Francs.<sup>3</sup> The current value of the amount of the award is determined by multiplying the historic value by a factor of 12.5, in accordance with Article 31(1) of the Rules. Consequently, the total award amount in this case is 961,650.00 Swiss Francs.

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<sup>3</sup> In calculating the historic value of the account in Swiss Francs, the CRT uses official exchange rates.

### **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  
6 February 2004