

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of Sigmund Stegmann

Claim Numbers: 217392/BE¹

Award Amount: 26,750.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the published account of Sigmund Stegmann (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 identifying the Account Owner as his maternal uncle, Sigmund (Zsigmond) Abraham Stegmann, who was born in 1907 in Munkacz, Czechoslovakia, (today Mukacevo, the Ukraine), and was married to [REDACTED], shortly before the outbreak of the Second World War. The Claimant stated that his uncle, who was Jewish, resided in Czechoslovakia, and that he owned a real estate business and a large department store. The Claimant explained that his uncle had four brothers, that each of them had a Czech name and a Hebrew name, and that his uncle’s Czech name was Sigmund and his Hebrew name was Abraham. According to the Claimant, his uncle traveled frequently to Austria and Switzerland for business and pleasure. The Claimant stated that his uncle and his wife had no children. The Claimant stated that his uncle was confined to the ghetto in Munkacs and that in 1944 he was deported to Auschwitz, where he perished.

In support of his claim, the Claimant submitted copies of: (1) his birth certificate, indicating that [REDACTED] was born on 20 July 1924 in Debrecen, and that his mother was [REDACTED];² (2) a notarized statement from friends who attended the wedding of Sigmund and [REDACTED], indicating that Abraham Zsigmund Stegman received a dowry of approximately

¹ Claimant [REDACTED] (the “Claimant”) submitted one additional claim, which is registered under the Claim Number 212763. The CRT will treat this claim in a separate determination.

² The CRT notes that [REDACTED] is a Hungarian variation of the names [REDACTED] and [REDACTED].

25,000.00 United States Dollars, which he deposited in a Swiss bank; and (3) a copy of his mother's death certificate, indicating that [REDACTED]'s maiden name was [REDACTED], and that she was born in Czechoslovakia.

The Claimant indicated that he was born on 20 July 1924 in Debrecen, Hungary.

The Claimant previously submitted two Initial Questionnaires ("IQs") to the Court in 1999, asserting his entitlement to Swiss bank accounts owned by his uncle, aunt, mother, and grandparents.³

Information Available in the Bank's Records

The Bank's records consist of bank statements and printouts from the Bank's database.. According to these records, the Account Owner was Sigmund Stegmann, who resided in Michlovce, Slovakia. The Bank's records indicate that the Account Owner held a demand deposit account, numbered 615325. The Bank's records further indicate that, on 24 June 1942, the account was transferred to a suspense account. The amount in the account on the date of its suspension was 378.00 Swiss Francs ("SF"). The Bank's records also reflect that the Bank continued to deduct fees and charges from the account until it was closed by such charges on 1 January 1986.

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 uncle's name and country of residence match the published name and country of residence of the Account Owner. The CRT notes that the Claimant stated that his uncle resided in Munkacs, while the Bank's records indicate that the Account Owner resided in Michalovce. However, the CRT further notes that Munkacs is only approximately 80 kilometers from Michalovce. The CRT considers it plausible that the Account Owner may also have resided in Michalovce and that the Claimant may not have been aware of all the places where his uncle resided.

Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes pages of testimony submitted by the Claimant's relatives in 1956 and in 2005, which indicate that Avraham Stegmann was born in 1907 in Munkacs, was married to [REDACTED], and that he perished in Auschwitz, 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.

³ The CRT will treat the claims to these accounts in separate determinations.

The CRT notes that the Claimant filed IQs with the Court in 1999, asserting his entitlement to Swiss bank accounts owned by his uncle, mother, and grandparents, prior to the publication in February 2001 of the list of accounts determined by Independent Committee of Eminent Persons to be probably or possibly those of Victims of Nazi Persecution (the "ICEP List"). This indicates that the Claimant has based his 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 his relative, but rather on a direct family relationship that was known to him before the publication of the ICEP List. It also indicates that the Claimant had reason to believe that his relatives owned Swiss bank accounts prior to the publication of the ICEP List. This supports the credibility of the information provided by the Claimant.

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, that he was confined to the ghetto in Munkacs and later deported to Auschwitz, where he perished.

As noted above, a person named Avraham Stegmann was included in the CRT's database of victims.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is related to the Account Owner by submitting specific biographical information, demonstrating that the Account Owner was the Claimant's uncle. There is no information to indicate that the Account Owner has other surviving heirs.

The CRT further notes that the Claimant filed IQs with the Court in 1999, identifying the relationship between the Account Owner and the Claimant, prior to the publication in February 2001 of the ICEP List; and that the Claimant also identified information which matches information contained in the Yad Vashem records. The CRT further notes that the Claimant submitted a copy of his own birth certificate and his mother's death certificate, which provides independent verification that the Claimant's relatives bore the same family name as the Account Owner and that they were from Czechoslovakia. Finally, the CRT notes that the foregoing information is of the type that family members would possess and indicates that the Account Owner was well known to the Claimant as a family member, and all of this information supports the plausibility that the Claimant is related to the Account Owner, as he has asserted in his Claim Form.

The Issue of Who Received the Proceeds

The Bank's records indicate that the account was closed on 1 January 1986 by fees.

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 (the “Rules”). Second, the Claimant has plausibly demonstrated that the Account Owner was his maternal uncle, and that relationship justifies an Award. Third, the CRT has determined 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 demand deposit account. The Bank’s records indicate that the value of the demand deposit account as of 24 June 1942 was SF 378.00. According to Article 29 of the Rules, if the amount in a demand deposit account was less than SF 2,140.00, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be SF 2,140.00. 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. Consequently, the total award amount in this case is 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 claims 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
20 December 2007