

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of S. Steinlauf

Claim Number: 220652/SJ

Award Amount: 26,750.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the account of S. Steinlauf (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 paternal uncle, Siegfried (or Zobel) Steinlauf, who was born on 1 August 1902 in Frankfurt am Main, Germany, to [REDACTED] and [REDACTED], née [REDACTED]. The Claimant stated that his uncle, who was Jewish, married [REDACTED], née [REDACTED], in Frankfurt am Main. The Claimant further stated that Siegfried Steinlauf and his wife moved from Frankfurt to Belgium in the 1930s to flee Nazi persecution. The Claimant added that they were both deported from Belgium to concentration camps in 1942, Siegfried on 8 September 1942 and [REDACTED] on 24 October 1942, where they perished. Additionally, the Claimant stated that at the time of his deportation, Siegfried Steinlauf had made attempts to obtain the release of his brother [REDACTED] (the Claimant’s father) with money held in Switzerland. The Claimant further stated that some of the money was to be given to [REDACTED] for transport to a neutral country. In support of his claim, the Claimant submitted documents, including his official family book, indicating that Siegfried Steinlauf and [REDACTED] were brothers and that their father was [REDACTED]; his father’s death certificate, identifying his parents as [REDACTED] and [REDACTED]; and his own birth certificate, identifying [REDACTED] as his father. The Claimant indicated that he was born on 15 March 1947 in New York, New York.

Information Available in the Bank's Record

The Bank's record consists of a customer card. According to this record, the Account Owner was S. Steinlauf, who used addresses in Frankfurt am Main, Germany, and Basel, Switzerland. The Bank's record indicates that the Account Owner held a demand deposit account that was opened on 10 November 1931.

According to the Bank's record, the account was closed on 10 July 1934. The amount in the account on the date of its closure is unknown. There is no evidence in the Bank's record 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 has plausibly identified the Account Owner. The Claimant's uncle's name matches the published name of the Account Owner. The Claimant stated that his uncle resided in Frankfurt am Main, which matches unpublished information about the Account Owner contained in the Bank's record. In support of his claim, the Claimant submitted documents, including his official family book, indicating that Siegfried Steinlauf and [REDACTED] were brothers and that their father was [REDACTED]; his father's death certificate, identifying his parents as [REDACTED] and [REDACTED]; and his own birth certificate, identifying [REDACTED] as his father. The CRT notes that the name "S. Steinlauf" appears only once on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons ("ICEP") to be probably or possibly those of victims of Nazi persecution. Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a person named Zobel Steinlauf (an alternate name of the Account Owner provided by the Claimant), and indicates that his date of birth was 1 August 1902 and place of birth was Frankfurt, Germany, 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. Finally, 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 fled to Belgium to avoid Nazi persecution, and that he was eventually deported from Belgium to a concentration camp where he perished. As noted above, a person named Zobel Steinlauf 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 documents, including his official family book, indicating that Siegfried Steinlauf and [REDACTED] were brothers and that their father was [REDACTED]; his father's death certificate, identifying his parents as [REDACTED] and [REDACTED]; and his own birth certificate, identifying [REDACTED] as his father, demonstrating that he is the account owner's nephew. There is no information to indicate that the Account Owner has other surviving heirs.

The Issue of Who Received the Proceeds

Given that in 1933 the Nazis embarked on a campaign to seize the domestic and foreign assets of Jewish nationals in Germany through the enforcement of flight taxes and other confiscatory measures including confiscation of assets held in Swiss banks; that the Account Owner would not have been able to repatriate his account to Germany without its confiscation; that the account was closed in 1934; that the Account Owner, shortly before his own deportation, attempted to use what he believed to be his Swiss funds in 1942 to obtain the release of his brother, eight years after the closing of the account, plausibly indicating that the Account Owner was unaware of the 1934 account closure; that the Account Owner was deported in 1942 to a concentration camp, where he perished; that there is no record of the payment of the Account Owner's account to him; that the Account Owner's heirs would not have been able to obtain information about the account after the Second World War from the Bank due to the Swiss bank's practice of withholding or misstating account information in their responses to inquiries by account owners because of the Bank's concern regarding double liability; and given the application of Presumptions (a), (h) and (j), as provided in Article 28 of the Rules Governing the Claims Resolution Process, as amended (the "Rules") (see Appendix A) and Appendix C,¹ the CRT concludes that it is plausible that the account proceeds were not paid to the Account Owner or his 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 uncle, 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 demand deposit account. Pursuant to Article 29 of the Rules,

¹ Appendix C appears on the CRT II website -- www.crt-ii.org.

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 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. 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 26,750.00 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 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
31 December 2003