

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant Richard Stöhr

in re Accounts of Prof. Dr. Richard Stöhr

Claim Number: 223246/ME

Award Amount: 25,680.00 Swiss Francs

This Certified Award is based upon the claim of Richard Emil Walther Stöhr (the “Claimant”) to the account of Prof. Dr. Richard Stöhr (the “Account Owner”) at 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 his father, Prof. Dr. Richard Stöhr, who was born on 11 June 1874 in Vienna, Austria, and was married to Maria Stöhr née Eitler on 2 July 1923 in Schladming, Austria, with whom he had one child, the Claimant. The Claimant stated that his father was a medical doctor and a professor at the Vienna Music Academy (*Wiener Musikakademie*) in Vienna, until March of 1938. According to the information provided by the Claimant, his father lived at Karolinengasse 14 in Vienna from 1908 to 1939. The Claimant stated that his father, who was Jewish, fled to the United States in February of 1939, where he died in Montpelier, Vermont, the United States on 11 December 1967. The Claimant submitted copies of his and his father’s birth certificates, his parent’s marriage certificate, and a copy of a bank statement from an Austrian bank dated 24 November 1938. The Claimant indicated that he was born on 20 July 1922 in Vienna.

Information Available in the Bank Record

The bank record consists of a document indicating that the account was subject to the Swiss freeze of German accounts that went into effect on 17 February 1945. According to this record, the Account Owner was Prof. Dr. Richard Stöhr, who resided at Karolinengasse 14, Vienna IV, Austria. The bank record indicates that the Account Owner held a demand deposit account. Furthermore, the bank record indicates that the value of the account was 56.50 Swiss Francs on 17 February 1945.

The account was transferred to a suspense account on 18 August 1955. The amount in the account on the date of its transfer was 46.00 Swiss Francs. The account remains open and dormant today.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. His father's name and city of residence match the published information about the Account Owner. The Claimant identified his father's title and street address, which match unpublished information about the Account Owner contained in the bank record. In support of his claim, the Claimant submitted documents, including his father's marriage certificate, which identifies the Account Owner by name and street address.

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 fled Austria in 1939, after the Nazi occupation.

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 birth certificate, demonstrating that he is the son of the Account Owner.

The Issue of Who Received the Proceeds

The bank records indicate the account was transferred to a suspense account and that it remains open and dormant.

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 23 of the Rules Governing the Claims Resolution Process (the "Rules"). Second, the Claimant has plausibly demonstrated that the Account Owner was his father, and that relationship justifies an Award. Finally, the CRT has determined that neither the Account Owner nor his heirs received the proceeds of the claimed account.

Amount of the Award

The bank records indicate that the value of the demand deposit account as of 17 February 1945 was 56.50 Swiss Francs. According to Article 35 of the Rules, if the amount in a demand deposit account was less than 2,140.00 Swiss Francs, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be 2,140.00 Swiss Francs. The present value of the amount of the award is determined by multiplying the balance as determined by Article 35 by a factor of 12, in accordance with Article 37(1) of the Rules, to produce a total award amount of 25,680.00 Swiss Francs.

Initial Payment

In this case, the Claimant is age 75 or older and is therefore entitled to receive 100% of the total award amount.

Scope of the Award

The Claimant should be aware that, pursuant to Article 25 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 2002