

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant Susi Haas

in re Account of Leo Strauss

Claim Number: 204528/SJ

Award Amount: 26,750.00 Swiss Francs

This Certified Award is based upon the claim of Susi Haas, née Strauss, (the “Claimant”) to the published account of Leo Strauss (the “Account Owner”) at the Basle 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 father, Leopold (Leo) Strauss, who was born on 17 July 1880 in Wachbach, Germany, and was married to Paula Strauss, née Wolff, in 1908 in Landau, Germany. The Claimant stated that her father, who was Jewish, was a businessman and that he ran a company called *Wolff & Cie* (Co.), located on Industriestrasse in Landau. The Claimant indicated that her parents had two children, Rudi Strauss, who was born on 21 March 1909 in Landau, France, and the Claimant. The Claimant indicated that her family lived at Ostring 28 in Landau until 1933, at which time they moved to Mannheim, Germany. The Claimant stated that her family remained in Mannheim until 1937, when they fled to Paris, France. The Claimant further indicated that her mother died on 9 February 1944 in Albi, France, that her father died on 27 April 1951 in Paris, and that her brother died on 7 March 1985 in Paris. The Claimant submitted her father's German passport, issued in 1935, as well as her birth and marriage certificates, indicating that she is the daughter of Leopold and Paula Strauss and that she was born in Landau.

The Claimant indicated that she was born on 5 March 1914 in Landau.

Information Available in the Bank's Records

The Bank's records consist of a list of accounts that were transferred to a suspense account, an account card and correspondence regarding acquisition of the Bank by another bank. According

to these records, the Account Owner was Leo Strauss who resided in Landau, Germany. The Bank's records indicate that the Account Owner held a demand deposit account. The Bank's records indicate that there had been no activity on the account since 1936, and that the account was transferred to a suspense account for dormant assets on 12 July 1946. The balance of the account on the date of its transfer was 131.00 Swiss Francs ("SF").

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") reported that the account remains in the suspense account.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. The Claimant's father's name and city and country of residence match the published name and city and country of residence of the Account Owner. In support of her claim, the Claimant submitted documents, including her father's passport and her birth and marriage certificates, indicating that her father was Leopold Strauss and that she was born in Landau, providing independent verification that the person who is claimed to be the Account Owner had substantially the same name¹ and resided in the same city recorded in the Bank's records as the name and city of residence of the Account Owner.

The CRT notes that the name Leo Strauss 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 (the "ICEP List").

The CRT further notes that the other claims to this account were disconfirmed because those claimants provided different cities or countries of residence than the city and country of residence of 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 the Account Owner fled Germany to France in 1937.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting specific information and documents, demonstrating that the Account Owner was the Claimant's father. These documents include the Claimant's birth and marriage certificates, both of which indicate that she is the daughter of Leopold and Paula Strauss. There is no information to indicate that the Account Owner has other surviving heirs.

¹ The CRT notes that Leo is a common abbreviation of the name Leopold.

The Issue of Who Received the Proceeds

The auditors who carried out the ICEP Investigation indicated that the account remains in the suspense account.

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 father, 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 balance of the account on 12 July 1946 was SF 131.00. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 30.00 Swiss Francs, which reflects standardized bank fees charged to the account between January 1945 and July 1946. Consequently, the adjusted balance of the account at issue is SF 161.00.

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 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
18 November 2004

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