

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to the Estate of Claimant [REDACTED]<sup>1</sup>

## **in re Account of Marie Sturm**

Claim Number: 205852/MBC

Award Amount: 10,375.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the account of Hermann Sturm.<sup>2</sup> This Award is to the unpublished account of Marie Sturm (the “Account Owner”) at the [REDACTED] (the “Bank”).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 her sister, Maria Sturm, who was born in 1933 in Sasovka, Czechoslovakia (today, the Ukraine), to [REDACTED] and [REDACTED]. The Claimant indicated that her family lived in Sasovka and that her father was a successful businessman who frequently traveled to Switzerland. According to the Claimant, her family members, who were Jewish, were relocated to a ghetto, and subsequently deported to Auschwitz, where her parents and five of her seven siblings, including Maria, perished in 1944.

The Claimant indicated that she was born on 20 December 1928 in Sasovka.

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

The Bank’s records consist of printouts from the Bank’s database and a list of dormant savings/passbook accounts. According to these records, the Account Owner was Marie Sturm.

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<sup>1</sup> The CRT notes that [REDACTED] (the “Claimant”) passed away on 14 February 2006.

<sup>2</sup> The CRT did not locate an account belonging to Hermann Sturm in the Account History Database prepared pursuant to the investigation of the Independent Committee of Eminent Persons (“ICEP” or “ICEP Investigation”), which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules Governing the Claims Resolution Process, as amended (the “Rules”).

The Bank's records do not indicate the Account Owner's domicile. The Bank's records indicate that the Account Owner held a savings/passbook account, numbered 34934. The Bank's records indicate that the account was suspended by the Bank on 31 December 1957 when it held a balance of 1.50 Swiss Francs ("SF"). The account remains suspended.

## **The CRT's Analysis**

### Identification of the Account Owner

The Claimant's sister's name matches the unpublished name of the Account Owner.<sup>3</sup> The CRT notes that the Bank's records do not contain any specific information about the Account Owner other than her name.

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 she lived in Nazi-occupied Czechoslovakia, and that she was deported to Auschwitz, where she perished.

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

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

The CRT further notes that the Claimant identified unpublished information about the Account Owner as contained in the Bank's records. 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 she has asserted in her Claim Form.

### The Issue of Who Received the Proceeds

The Bank's records indicate that the account was suspended by the Bank on 31 December 1957 and that it remains suspended today.

### 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

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<sup>3</sup> The CRT notes that Maria and Marie are common variations of the same name.

Claims Resolution Process (the “Rules”). Second, the Claimant has plausibly demonstrated that the Account Owner was her sister, and that relationship justifies an Award. Third, 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 savings/passbook account. The Bank’s records indicate that the value of the account as of 31 December 1957 was SF 1.50. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 195.00, which reflects standardized bank fees charged to the account between 1945 and 1957. Consequently, the adjusted balance of the account at issue is SF 196.50. According to Article 29 of the Rules, if the amount in a savings/passbook account was less than SF 830.00, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be SF 830.00. 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, to produce a total award amount of SF 10,375.00.

#### **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  
24 October 2008