

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of Laslo and Zsigmond Szamosi

Claim Number: 201355/EZ

Award Amount: 25,680.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the account of Laslo Szamosi. The Award is to the joint account of Laslo and Zsigmond Szamosi (the “Account Owners”) at the Zurich branch of the [REDACTED] (the “Bank”).

All awards are published, but 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 Account Owner Laslo Szamosi as his father, who was born on 28 October 1914, in Budapest, Hungary, and was married to [REDACTED], née [REDACTED], in Budapest. They lived in Budapest where the Claimant’s father worked as a real estate agent. The Claimant provided his parents’ exact street address in Budapest. During the Second World War, the Claimant’s parents were in hiding in Budapest. The Claimant’s father used his position as attaché to the Spanish consulate in Budapest as a cover. After the Second World War, the Claimant’s parents remained in Budapest until 1949, when they emigrated to Israel. The Claimant’s father passed away in 1986, in Haifa, Israel. In a telephone conversation with the CRT, the Claimant stated that Zsigmond Szamosi was his paternal uncle, the Claimant’s father’s elder brother. The Claimant stated that Zsigmond Szamosi emigrated to Israel in the 1930s and lived in Moshav Nehalim until his death. The Claimant stated that Zsigmond Szamosi had one daughter who today lives in Bney-Brak, Israel. The Claimant provided a copy of his own birth certificate indicating that he is Account Owner Laslo Szamosi’s son. The Claimant further indicated that he was born on 13 June 1942, in Budapest, Hungary.

Information Available in the Bank Records

The bank records consist of documents relating to the 1962 Survey of assets of Holocaust victims held in Swiss banks and of printouts from the Bank’s database. According to these

records, the Account Owners were Laslo and Zsigmond Szamosi from Hungary. The bank records indicate that the Account Owners held a joint demand deposit account, numbered 3570. The balance of the account was 421.00 Swiss Francs as of 1 September 1963. The account was closed, unknown by whom, on 30 August 1968. There is no evidence in the bank records that the Account Owners or their heirs closed the account and received the proceeds themselves.

The CRT's Analysis

Identification of the Account Owners

The Claimant has plausibly identified the joint Account Owners. His father's name matches the published name of Account Owner Laslo Szamosi, and his uncle's name matches the published name of Account Owner Zsigmond Szamosi. The Claimant stated that the Account Owners resided in Hungary, which matches published information about the Account Owners. Despite the fact that the Account Owners were listed separately on the list of bank accounts published by the ICEP Investigation on 5 February 2001, the Claimant stated that Account Owners were joint Account Owners, which matches unpublished information contained in the bank records.

Status of the Account Owners as Victims of Nazi Persecution

The Claimant has made a plausible showing that Account Owner Laslo Szamosi was a Victim of Nazi Persecution. The Claimant stated that Account Owner Laslo Szamosi was Jewish and that he was forced to hide from the Nazis in Budapest during the Second World War.

The Claimant's Relationship to the Account Owners

The Claimant has plausibly demonstrated that the Account Owners are his late father and uncle by submitting his own birth certificate, which indicates that the Claimant's father was Account Owner Laslo Szamosi.

The Issue of Who Received the Proceeds

Based on its precedent and the Rules, the CRT applies presumptions to determine whether Account Owners or their heirs received the proceeds of their accounts. These presumptions are contained in Appendix A.¹ The CRT concludes in this case that one or more of these presumptions applies, and it is therefore plausible that the account proceeds were not paid to the Account Owners or their heirs.

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 Owners were his father and uncle, and these relationships justify an Award. Finally,

¹ An expanded version of Appendix A appears on the CRT II website -- ww.crt-ii.org.

the CRT has determined that it is plausible that neither the Account Owners nor their heirs received the proceeds of the claimed account.

Amount of the Award

The bank records indicate that the value of the account as of 1 September 1963 was 421.00 Swiss Francs. In accordance with Article 37(1) of the Rules, this amount is increased by an adjustment of 1,235.00 Swiss Francs, which reflects numbered account fees and standardized bank fees charged to the account between 1945 and 1963. Consequently, the adjusted balance of the account at issue is 1,656.00 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 for that type of account. 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.

Article 37(3)(a) of the Rules provides that where the value of an award is calculated using the value presumptions provided in Article 35 of the Rules, the initial payment to the claimant shall be 35% of the Certified Award, and the claimant may receive a second payment of up to 65% of the Certified Award when so determined by the Court. In this case, the CRT has used the value presumptions of Article 35 of the Rules to calculate the account value and 35% of the total award amount is 8,988.00 Swiss Francs.

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