

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED 1]
also acting on behalf of [REDACTED 2]

in re Account of P. A. Traub

Claim Number: 222508/JW¹

Award Amount: 26,750.00 Swiss Francs

This Certified Award is based upon the claims of [REDACTED 1] (the “Claimant”) to the account of Pavel (Paul) Traub. This Award is to the unpublished account of P. A. Traub (the “Account Owner”) at the Geneva branch of the [REDACTED] (the “Bank”).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 her maternal cousin, Pavel (Paul) Traub, who was born on 15 August 1928 in Czechoslovakia to [REDACTED], née [REDACTED], and [REDACTED]. According to the Claimant, her cousin, who was Jewish, resided in Prague, Czechoslovakia (now Czech Republic) during the Second World War, when he and his family were deported to Theresienstadt on 8 February 1942. The Claimant further indicated that her cousin was subsequently transported from Theresienstadt to Auschwitz on 12 October 1944. The Claimant indicated that her cousin was forced to march from Auschwitz to Buchenwald, where he eventually died in late February or early March 1945. The Claimant indicated that her father, [REDACTED], had been a wealthy lawyer in Prague and that he had a close relationship with her cousin.

¹ The Claimant submitted additional claims to the accounts of her parents and other family members, which are registered under the Claim Numbers: 222503, 222504, 222505, 222506, 222507, 222509, 223391, 223392, and 223399. In separate decisions, the CRT awarded the accounts of Karl Weber and Max Weber to the Claimant. See *In re Account of Karl Weber* (approved on 11 March 2003) and *In re Account of Max Weber* (approved on 30 November 2005). Furthermore, the CRT treated the Claimant’s claims to the accounts of Walter Weber and Nellie Fried in separate decisions. See *In re Account of Walter Weber* (approved on 12 January 2005) and *In re Account of Nellie Fried* (approved on 17 August 2004). The CRT will treat the claims to the remaining accounts in separate decisions.

The Claimant submitted copies of documents including: (1) a list of Theresienstadt camp inmates from the Theresienstadt archives, indicating that (a) Paul Traub, a student, who was born on 15 August 1928, resided at Blatowka 1362, Prague XIII, prior to his transport to Theresienstadt, and (b) [REDACTED], a housewife, who was born on 30 January 1903, also resided at Blatowka 1362, Prague XIII; (2) her mother's certified proof of burial, indicating that [REDACTED]'s maiden name was [REDACTED]; and (3) her own birth certificates, indicating that [REDACTED 1] was born on 21 August 1952 in New York, New York, the United States, to [REDACTED], née [REDACTED], and to [REDACTED].

The Claimant is representing her twin sister [REDACTED 2], who was also born on 21 August 1952 in New York. The Claimant previously submitted an ATAG Ernst & Young claim form in 1998 and an Initial Questionnaire in 1999, asserting her entitlement to a Swiss bank account owned by Dr. Walter (Fried) Freed and Sally Weber.²

Information Available in the Bank's Record

The Bank's record consists of a list of suspended accounts. According to this record, the Account Owner was Mr. P. A. Traub. The Bank's record does not indicate the Account Owner's domicile.

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") indicated that the Account Owner held one demand deposit account. The Bank's record further indicates that on 18 February 1955, the account was transferred to a collective suspense account for dormant assets, where it remains today. The amount in the account on the date of its transfer was 20.00 Swiss Francs ("SF").

The CRT's Analysis

Identification of the Account Owner

The Claimant's cousin's first initial and surname match the unpublished first initial and surname of the Account Owner. The CRT notes that the Bank's record does not contain any specific information about the Account Owner other than his initials and surname.

In support of her claim, the Claimant submitted documents, including a copy of a list of Theresienstadt camp inmates indicating that Paul Traub, who was born on 15 August 1928, resided in Prague, providing independent verification that the person who is claimed to be the

² As stated above, the CRT treated the Claimant's claim to the account of Walter Weber in a separate decision. See *In re Account of Walter Weber* (approved on 12 January 2005). The CRT will treat the claim to an account belonging to Sally Weber in a separate determination.

Account Owner had the same first initial and surname recorded in the Bank's record as the first initial and surname of the Account Owner.³

Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a person named Pavel Traub, and indicates that his date of birth was 15 August 1928 and that he was deported from Prague to Theresienstadt on 8 February 1942, and that he was transported to Auschwitz on 12 October 1944, which matches the information about the Account Owner provided by the Claimant. Moreover, the CRT notes that this database includes an individual named [REDACTED], née [REDACTED], a widow, who was born on 30 January 1907, had one child, and resided in Prague XIII prior to the Second World War.⁴ The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel.

The CRT notes that the other claim to this account was disconfirmed because that claimant's relative was female. 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 resided in Nazi-occupied Czechoslovakia, and that he perished in Buchenwald. The Claimant also submitted a copy of a list of Theresienstadt camp inmates, which includes the name of her cousin, Pavel Traub. As noted above, a person named Pavel Traub was included in the CRT's database of victims.

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 maternal cousin. There is no information to indicate that the Account Owner has other surviving heirs, other than the party whom the Claimant is representing.

The CRT further notes that the Claimant also identified information which matches information contained in the Yad Vashem records. The CRT further notes that the Claimant submitted a copy of a list of Theresienstadt camp inmates from the Theresienstadt archives including the names Paul and [REDACTED]. The CRT notes that it is plausible that this document is a

³ The CRT notes that it has conflicting information with respect to the year of birth of the Claimant's aunt. According to the Yad Vashem records, [REDACTED], née [REDACTED], was born on 30 January 1907. In contrast, the list of Theresienstadt camp inmates indicates that [REDACTED] was born on 30 January 1903. However, the CRT determines that this discrepancy does not adversely affect the Claimant's identification of the Account Owner.

⁴ The CRT notes that the Claimant did not provide her cousin's middle initial. However, the CRT notes that the Claimant did not know her cousin as a child; that most of her mother's family members died in the Holocaust; and that there are no official documents or records providing the Claimant's cousin's full name due to the circumstances of the Second World War, and the CRT therefore determines that it is plausible that the Claimant could not provide the Account Owner's middle initial, and that the Claimant's failure to identify the Account Owner's middle initial does not adversely affect the plausibility of her identification of the Account Owner.

document which most likely only a family member would possess. The CRT further notes that the Claimant submitted a copy of her mother's certified proof of burial and her own birth certificate, which provides independent verification that the Claimant's mother bore the maiden name as the Account Owner's mother, as indicated in the Yad Vashem 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 record indicates that the account was transferred on 18 February 1955 to the Bank's suspense account, where it remains 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 Claims Resolution Process, as amended (the "Rules"). Second, the Claimant has plausibly demonstrated that the Account Owner was her maternal cousin, 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 record indicates that the value of the demand deposit account as of 18 February 1955 was SF 20.00. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 165.00, which reflects standardized bank fees charged to the demand deposit account between 1945 and 1955. Consequently, the adjusted balance of the account at issue is SF 185.00. 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, to produce a total award amount of SF 26,750.00.

Division of the Award

According to Article 23(1)(e) of the Rules, if neither the Account Owner's spouse nor any descendants of the Account Owner's parents have submitted a claim, the award shall be in favor of any descendants of the Account Owner's grandparents who have submitted a claim, in equal shares by representation. In this case, the Claimant is representing her twin sister. Accordingly, the Claimant and represented party [REDACTED 2] are each entitled to one-half of the total award amount.

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 claims 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
30 May 2007