

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant [REDACTED 1]  
represented by *Hoerner Bank AG*  
also acting on behalf of [REDACTED 2]

## **in re Account of Geza Weinreb**

Claim Number: 221389/AZ

Award Amount: 26,750.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED 1] (the “Claimant”) to the account of Jenö Weinreb.<sup>1</sup> This Award is to unpublished account of Geza Weinreb (the “Account Owner”) at the Geneva branch of the [REDACTED] (the “Bank”).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 asserting his entitlement to the account of his father, Jenö (Eugen, Eugene) Weinreb,<sup>2</sup> who was born on 27 October 1896 in Felsuelefant, Czechoslovakia (today Lefantovce, Slovakia) and was married to [REDACTED]. The Claimant indicated that his parents, who were Jewish, resided in Budapest, Hungary, where his father was a banker. The Claimant further indicated that his family moved to Paris, France during the 1930s and then after the outbreak of the Second World War to Monte Carlo, Monaco, where his father was arrested in 1944. The Claimant stated that, after the War, his family moved back to Paris, where his mother died in 1956. The Claimant indicated that his father then moved to Geneva, Switzerland, where he was remarried to [REDACTED 2], in 1969. Finally, the Claimant indicated that his father died in Geneva on 10 November 1976.

In additional correspondence with the CRT, on 30 October 2002, the Claimant identified the Account Owner as his paternal uncle, Geza Weinreb. The Claimant indicated that his uncle was

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<sup>1</sup> In a separate decision, the CRT awarded the accounts of Jenö Weinreb and Oskar Weinreb to the Claimant. See *In re Accounts of Jenö Weinreb and Oskar Weinreb* (approved on 17 March 2003).

<sup>2</sup> The Claimant indicated that Jenö was the Hungarian version of his father’s first name and that Eugen was the German version.

not married and that he perished in a concentration camp in approximately 1944. The Claimant, who was a very young child when he and his family moved to Paris in 1932, indicated that he did not have any further information about Geza Weinreb.

The Claimant submitted copies of documents in support of his claim, including: 1) his father's second marriage certificate, indicating that Eugen Weinreb (who was born on 27 October 1896 in Felsuelefant) was married to [REDACTED 2] (who was born 25 February 1930 in Paris) on 5 November 1969 in Geneva; 2) his father's death certificate, dated 10 November 1976 in Geneva, indicating that Eugen Weinreb was born in Felsuelefant on 27 October 1896, that his parents were [REDACTED] and [REDACTED], that he was married to [REDACTED 2], that he was a Hungarian national, and that he resided in Geneva; 3) his father's will, registered in Geneva on 14 January 1977, indicating that Eugene Weinreb's first wife was [REDACTED], and that his heirs were his second wife [REDACTED 2], who was to receive forty (40) percent of his estate, and his son [REDACTED 1], who was to receive sixty (60) percent of his estate; and 4) an inheritance certificate related to his father's estate, indicating that Eugen (Jenö) Weinreb was born on 27 October 1896 and died on 10 November 1976 in Geneva and that his heirs were his wife [REDACTED 2] (who was born on 25 February 1930), who was to receive forty (40) percent of his estate, and [REDACTED 1] (who was born on 28 January 1929), who was to receive sixty (60) percent of his estate.

The Claimant indicated that he was born on 28 January 1929 in Budapest. The Claimant is representing his stepmother, [REDACTED 2], who was born on 25 February 1930 in Paris.

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

The Bank's records consist of Bank correspondence dated in 1952. The first piece of correspondence is a letter, dated 12 June 1952, from a person named [REDACTED] to the Bank, requesting that the Bank search for accounts belonging to his brother Arthur Löwy and his cousin Geza Weinreb. In his letter, [REDACTED] stated that, in approximately January 1939, his brother, who resided in Piestany, Czechoslovakia (today Slovakia), sent a valuable stamp collection belonging to [REDACTED] to his cousin in Zurich, who deposited the collection in a safe deposit box at a Swiss bank. [REDACTED] further indicated that his brother and cousin both perished during the Second World War. A handwritten notation in the margin of this letter, recorded for internal bank purposes, indicates that the Bank located accounts belonging to Geza Weinreb, who resided in Lugano, Switzerland and Paris, France. This notation indicates that the Account Owner originally held a safe deposit account, which was open from 1938 to 1939 and which was converted to a demand deposit account and a custody account in 1939 or 1940.

The second piece of correspondence is a letter, dated 14 July 1952, from the Bank's branch in Geneva (where the accounts were held) to its main office in Zurich. This letter indicates that the demand deposit account was closed to fees in June 1951, at which time it held a balance of 65.00 Swiss Francs ("SF"), and that the stamp collection had been released to the Account Owner's brother and heir, Eugene Weinreb.

Finally, the Bank's records contain a reply from the Bank to [REDACTED], dated 14 July 1952, in which the Bank stated that no accounts under the names Arthur Löwy or Geza Weinreb had been located in the Bank's Zurich or Geneva branches.

## **The CRT's Analysis**

### Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. The Claimant's paternal uncle's name matches the unpublished name of the Account Owner and the Claimant's father's name matches the unpublished name of the Account Owner's brother and heir. In addition, the Claimant indicated that his uncle perished during the War, which is consistent with the unpublished information about the Account Owner contained in the Bank's records. The CRT further notes that the Claimant's father's country of birth (Czechoslovakia) matches the unpublished country in which the Account Owner's family members resided (the CRT notes that Lefantovce and Piestany are approximately 25 kilometers apart); that his father's city and country of residence during the 1930s matches one of the Account Owner's unpublished cities and countries of residence; and that a city in which the Claimant's father resided after the War matches the unpublished Swiss city where the Account Owner's accounts were held.

In support of his claim, the Claimant submitted documents, including his father's second marriage certificate, death certificate, and inheritance documents related to his estate, providing independent verification that the person who is claimed to be the Account Owner's brother had the same name recorded in the Bank's records as the name of the Account Owner's brother; that he was born in the country recorded in the Bank's records as the country where the Account Owner's cousins resided, and in a city approximately 25 kilometers from the Account Owner's cousins' city of residence; that he had a connection (his second wife's place of birth) to the city and country of residence recorded in the Bank's records as one of the Account Owner's cities and countries of residence; and that he also resided in the Swiss city where the accounts were held and where he retrieved his family's stamp collection.

Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a person named Geza Weinreb, and indicates that he was born on 6 June 1895 in Felsoelefant; that his parents were [REDACTED] and [REDACTED]; that he had a connection to Budapest; that he was deported from France; and that he perished in Auschwitz after 10 February 1944, which matches the information about the Account Owner provided by the Claimant. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel.

The CRT notes that there are no other claims to this account.

### 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 perished in a concentration camp in approximately 1944. As noted above, a person named Geza Weinreb was included in the CRT's database of victims.

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

The Claimant has plausibly demonstrated that he is related to the Account Owner by submitting specific information and documents, demonstrating that the Account Owner was the Claimant's paternal uncle. These documents include the Claimant's father's death certificate, indicating that Eugen Weinreb's parents were [REDACTED] and [REDACTED], and his father's will and inheritance certificate, indicating that Eugen (Eugene, Jenö) Weinreb had a son named [REDACTED 1]. The CRT notes that the Vad Vashem records indicate that Geza Weinreb was born on 6 June 1895 in Felsoelefant and that his parents were [REDACTED] and [REDACTED]. Finally, the CRT notes that the Bank's records indicate that Eugene Weinreb was the Account Owner's brother and heir. There is no information to indicate that the Account Owner has other surviving heirs.

### The Issue of Who Received the Proceeds

With regard to the stamp collection that was held in the custody account, the Bank's records indicate that it was released to the Claimant's father, who was the Account Owner's brother and heir. Therefore, no amount is awarded for that account.

With regard to the demand deposit account, the Bank's records indicate that the account was closed to fees in June 1951.

### Basis for the Award

The CRT has determined that an Award may be made in favor of the Claimant and the party whom he represents. First, the claim is admissible in accordance with the criteria contained in Article 18 of the Rules Governing the Claims Resolution Process (the "Rules"). Second, the Claimant has plausibly demonstrated that the Account Owner was his uncle, and that relationship justifies an Award. Third, the CRT has determined that neither the Account Owner nor his heirs received the proceeds of the demand deposit account.

### Amount of the Award

In this case, the Account Owner held one demand deposit account. The Bank's records indicate that the value of the account as of June 1951 was SF 65.00. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 105.00, which reflects standardized bank fees charged to the account between 1945 and 1951. Consequently, the adjusted balance of the account at issue is SF 170.00. 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(2)(c) of the Rules, if a claimant bases a claim of entitlement on a chain of inheritance but has not submitted an unbroken chain of wills or other inheritance documents, the CRT may use the general principles of distribution established in Article 23(1) to make allowance for any missing links in the chain, consistent with principles of fairness and equity. In this case, the award is for an account belonging to the Claimant's father's brother. The Claimant is representing his stepmother, [REDACTED 2], and has submitted his father's will and inheritance documents, indicating that his stepmother was to receive forty percent (40%) of Eugene Weinreb's estate, and that the Claimant was to receive sixty percent (60%) of the estate. Accordingly, the Claimant is entitled to sixty percent (60%) of the total award amount, and his stepmother, [REDACTED 2], is entitled to forty percent (40%) 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 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  
23 April 2007