

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant Susan Ronay

in re Account of Susan Winter

Claim Number: 201077/MC

Award Amount: 47,400.00 Swiss Francs

This Certified Award is based upon the claim of Susan Ronay (the “Claimant”) to the account of Sandor Winter.¹ This Certified Award is to the account of Susan Winter (the “Account Owner”) at 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 indicating that she was the beneficial owner of an account opened by her father, Sandor Winter. The Claimant indicated that she is Jewish, and that she was born in 1924 in Budapest, Hungary. The Claimant stated that she is the only child of her parents, Sandor Winter and Charlotte Winter, née Zuckermann, and that her father opened a Swiss bank account for her education. In 1944, the Claimant was made to perform slave labor and was later deported to concentration camps in Germany, where she also performed slave labor. The Claimant now lives in Florida in the United States.

Information Available in the Bank Records

The bank record consists of a statement recording the transfer of the account balance into a suspense account, which is a grouping of open and dormant accounts. According to this statement, the Account Owner was Miss Susan Winter. The record does not indicate the type of the account. According to the bank record, the value of the account as of 8 February 1980 was 156.10 Swiss Francs. There is no evidence in the bank records that the Account Owner or her heirs closed the account and received the proceeds themselves. The bank record indicates that the account remains open and dormant.

¹ The CRT will treat the claim to this account in a separate decision.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly established that she and the Account Owner are the same person. The Claimant's maiden name matches the unpublished name of the Account Owner. Moreover, the Claimant's marital status at the time the account was opened is consistent with the marital status of the Account Owner as identified in the bank record. In addition, the Claimant's statement that her father opened the account for her education is consistent with the fact that such an account was opened in the Claimant's name.

Status of the Account Owner as a Victim of Nazi Persecution

The Claimant has made a plausible showing that the Account Owner, the Claimant herself, was a Victim of Nazi Persecution. The Claimant has indicated that she is Jewish, and that she lived in Hungary until the War. In 1944, she was made to perform slave labor by the Nazis. She was later interned in concentration camps in Germany, where she also performed slave labor.

The Issue of Who Received the Proceeds

The bank records indicate the account was transferred to a suspense account, which is a grouping of open and dormant accounts, and that the account remains open and dormant.

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 she is the Account Owner and that she was a Victim of Nazi Persecution. Finally, the CRT has determined that neither the Account Owner nor her heirs received the proceeds of the account.

Amount of the Award

The bank records indicate that the value of the account as of 8 February 1980 was 156.10 Swiss Francs. In accordance with Article 37(1) of Rules, this amount is increased by an adjustment of 545.00 Swiss Francs, which reflects standardized bank fees charged to the account between 1945 and 1980. Consequently, the adjusted (1945) balance of the account at issue is 701.10 Swiss Francs. According to Article 35 of the Rules, if the amount in an unknown type of account was less than 3,950.00 Swiss Francs, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be 3,950.00 Swiss Francs. The amount of the award is determined by multiplying this 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 47,400.00 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 16,590.00 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 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