

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED 1]

to the Estate of Claimant [REDACTED 2]¹

to Claimant [REDACTED 3]

and to the Estate of Claimant [REDACTED 4]^{2,3}
represented by [REDACTED 5]

in re Account of Bela Feher

Claim Numbers: 206727/JW; 217702/JW;⁴ 500357/JW;⁵ 736584/JW⁶

Award Amount: 10,375.00 Swiss Francs

This Certified Award is based upon the claims of [REDACTED 1] (“Claimant [REDACTED 1]”) and [REDACTED 2] (“Claimant [REDACTED 2]”) to the accounts of Adalbert Weiskopf

¹ Claimant [REDACTED 1] informed the CRT in a letter received on 28 July 2005, that his mother, Claimant [REDACTED 2], passed away on 16 August 2000. In addition, Claimant [REDACTED 1] also submitted a copy of Claimant [REDACTED 2]’s death certificate and a certificate identifying him as her sole heir.

² Claimant [REDACTED 4]’s wife, [REDACTED 5], who represents him in this claim, informed the CRT in a letter received on 27 March 2003 that Claimant [REDACTED 4] passed away on 5 January 2003. In addition, [REDACTED 5] also submitted a copy of Claimant [REDACTED 4]’s death certificate and a certificate identifying her as his sole heir.

³ The CRT notes that the Claimant [REDACTED 3] indicated in his Claim Form that he were representing his brother, Claimant [REDACTED 4]; Claimant [REDACTED 3], however, did not submit a Power of Attorney Form signed by Claimant [REDACTED 4]. As such, the CRT is considering the Claims of Claimant [REDACTED 4] and Claimant [REDACTED 3] separately.

⁴ In 1999, Claimant [REDACTED 3] also submitted an Initial Questionnaire (“IQ”), numbered HEB-0235-159, to the Court in the United States. Although this IQ was not a Claim Form, the Court, in an Order signed on 30 July 2001, ordered that those Initial Questionnaires which can be processed as claim forms be treated as timely claims. Order Concerning Use of Initial Questionnaire Responses as Claim Forms in the Claims Resolution Process for Deposited Assets (July 30, 2001). The IQ was forwarded to the CRT and has been assigned claim number 719971. The CRT will treat this claim in a separate determination.

⁵ Claimant [REDACTED 4] submitted an additional claim, which is registered under the Claim Number 500356. The CRT will treat this claim in a separate determination.

⁶ Claimant [REDACTED 2] did not submit a Claim Form to the CRT. However, in 1999 she submitted an IQ, numbered RUM-0028027, to the Court in the United States. Although this IQ was not a Claim Form, the Court, in an Order signed on 30 July 2001, ordered that those Initial Questionnaires which can be processed as claim forms be treated as timely claims. Order Concerning Use of Initial Questionnaire Responses as Claim Forms in the Claims Resolution Process for Deposited Assets (July 30, 2001). The IQ was forwarded to the CRT and has been assigned claim number 736584.

(Bela Feher), Henric Weisskopf, Martin Weiskopf, or Mihaly Furstner,⁷ and the claims of [REDACTED 4] (“Claimant [REDACTED 4]”) and [REDACTED 3] (“Claimant [REDACTED 3]”) (together “the Claimants”) to the account of Adalbert (Bela) Feher. This Award is to the published account of Bela Feher (the “Account Owner”) at [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 Claimants

Claimant [REDACTED 1] and Claimant [REDACTED 2]

Claimant [REDACTED 2] and Claimant [REDACTED 1], who are mother and son, submitted an Initial Questionnaire and a Claim Form, respectively, identifying the Account Owner as Claimant [REDACTED 2]’s paternal uncle (Claimant [REDACTED 1]’s great-uncle, [REDACTED], also known as Bela (Belo) Feher. Claimant [REDACTED 1] indicated that his great-uncle, who was Jewish, was born before 1919 in Orsova, Romania (formerly Hungary) and that he lived in Budapest, Hungary and in Szombathely, Hungary, where he owned a watch and jewelry shop. According to Claimant [REDACTED 1], his great-uncle’s property was confiscated by the Romanian authorities during the Second World War. Claimant [REDACTED 1] indicated that his great-uncle was deported to Auschwitz and was never heard from again. Claimant [REDACTED 1] further indicated that [REDACTED], who was [REDACTED]’s brother, had two children, Claimant [REDACTED 2], née [REDACTED], and [REDACTED], née [REDACTED], and two grandchildren, Claimant [REDACTED 1] and [REDACTED].

In support of his claim, Claimant [REDACTED 1] submitted copies of: (1) a letter from the land registry of Szombathely to [REDACTED 2], dated 5 May 2000, regarding her inquiry regarding property owned by Bela Feher/Weiskopf; (2) notices dated from 1940 to 1942, regarding the registration and confiscation of property in Romania belonging to [REDACTED] and Adalbert Weiskopf; (3) his grandfather’s death certificate, indicating that [REDACTED] died on 17 December 1950 in Timisoara, Romania; (4) his mother’s birth and death certificates, indicating that [REDACTED 2] was born on 6 August 1932, and that her parents were [REDACTED] and [REDACTED]; (5) a notarized document dated 11 June 2001, indicating that Claimant [REDACTED 1] is the sole heir of Claimant [REDACTED 2]; and (6) his own Romanian identification card, indicating that [REDACTED 1]’s parents were [REDACTED] and [REDACTED].

Claimant [REDACTED 1] indicated that he was born on 3 August 1953 in Orsova, and that Claimant [REDACTED 2] was born on 6 August 1932, also in Orsova.

⁷ The CRT will treat the claims to the accounts of Henric Weisskopf, Martin Weiskopf, and Mihaly Furstner in separate determinations.

Claimant [REDACTED 4] and Claimant [REDACTED 3]

Claimant [REDACTED 4] and Claimant [REDACTED 3], who are brothers, submitted Claim Forms identifying the Account Owner as Dr. Adalbert (Vojtech) Feher, formerly Belo (Bela) Feher (Claimant [REDACTED 4]), who was born on 7 June 1912 in Kosice, Czechoslovakia (now Slovakia), and was married to [REDACTED 5], née [REDACTED], on 1 October 1964 in Prague, Czechoslovakia (now the Czech Republic). Claimant [REDACTED 4], who was Jewish, indicated that he lived at Apolinarska 18 in Prague from 1936 until 1938, when he moved to Hauptstrasse 5 in Kosice, where he worked as a medical doctor. According to Claimant [REDACTED 4], he was interned in work camps in the Ukraine and Poland from 1942 to 1943 and that in 1944; he was deported to Auschwitz, where he was imprisoned until its liberation. Claimant [REDACTED 4] further indicated that after the War he moved to Winterthur, Switzerland, and resided there until 1969, when he moved to Frankfurt am Main, Germany. Claimant [REDACTED 4] indicated that he had no children.

In support of his claim, Claimant [REDACTED 4] submitted copies of: (1) his birth certificate, indicating that his name was Belo Feher, that he was born on 7 June 1912, that his parents were [REDACTED] and [REDACTED], née [REDACTED], and that they resided in Kosice; (2) his marriage certificate, indicating that [REDACTED] married [REDACTED] on 1 October 1964 in Prague; (3) copies of his personal correspondence, dated between 1971 and 2000, addressed to Bela Feher, [REDACTED], and [REDACTED 4]; and (4) his change of name certificate issued by the city of Offenbach am Main, Germany, on 27 November 1969, indicating that Belo Feher, who was born on 7 June 1912, changed his name to [REDACTED 4]. Claimant [REDACTED 3] also submitted a copy of his brother's identification card, issued by the Pension Office of Frankfurt am Main, Germany, issued on 8 December 1993, indicating that [REDACTED 4] was born on 7 June 1912.

The CRT notes that on 27 March 2003, Claimant [REDACTED 4]'s widow, [REDACTED 5], notified the CRT that that Claimant [REDACTED 4] had passed away. In addition to the documentation submitted by Claimant [REDACTED 4], his widow also submitted copies of Claimant [REDACTED 4]'s death certificate issued by the registry office of Heusenstamm, Germany and a certificate of inheritance issued by the District Court of Offenbach am Main, indicating that [REDACTED 5] is the sole heir of [REDACTED 4].

Claimant [REDACTED 4] indicated that he was born on 7 June 1912 in Kosice, and Claimant [REDACTED 3] indicated that he was born on 17 August 1936 in Prague.

Information Available in the Bank's Records

The Bank's records consist of a list of savings/passbook accounts and printouts from the Bank's database. According to these records, the Account Owner was Bela Feher, who maintained a post office box in Zurich, Switzerland (*Postfach 553, 8022 Zürich*). The Bank's records do not list the domicile of the Account Owner. The Bank's records indicate that the Account Owner held a savings/passbook account, numbered 76-00363-4, with a balance of 16.35 Swiss Francs

("SF") as of 31 December 1974. The Bank's records indicate that the balance of this account was transferred to a suspense account for dormant assets, where it remains today.

The CRT's Analysis

Joinder of Claims

According to Article 37(1) of the Rules Governing the Claims Resolution Process, as amended (the "Rules"), claims to the same or related accounts may be joined in one proceeding at the CRT's discretion. In this case, the CRT determines it appropriate to join the four claims of the Claimants in one proceeding.

Identification of the Account Owner

The name of Claimant [REDACTED 1]'s maternal great-uncle and Claimant [REDACTED 2]'s uncle, and the former name of Claimant [REDACTED 4](Claimant [REDACTED 3]'s brother) both match the published name of the Account Owner. The CRT notes that the Bank's records do not contain any specific information about the Account Owner other than his name and a Swiss mailing address.

In support of their claims, Claimant [REDACTED 1] and Claimant [REDACTED 2] submitted a letter from the land registry of Szombathely, regarding property owned by Bela Feher/Weiskopf, and Claimant [REDACTED 4] submitted his birth certificate, personal correspondence, and change of name certificate,⁸ and Claimant [REDACTED 3] submitted Claimant [REDACTED 4]'s identification card, providing independent verification that the persons who are claimed to be the Account Owner had the same name recorded in the Bank's records as the name of the Account Owner.

The CRT notes that Claimant [REDACTED 2] filed an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Bela Feher, prior to the publication in February 2001 of the list of accounts determined by ICEP to be probably or possibly those of Victims of Nazi Persecution (the "ICEP List"). This indicates that Claimant [REDACTED 2] has based her present claim not simply on the fact that an individual identified on the ICEP List as owning a Swiss bank account bears the same name as her relative, but rather on a direct family relationship that was known to her before the publication of the ICEP List. It also indicates that Claimant [REDACTED 2] had reason to believe that her relative owned a Swiss bank account prior to the publication of the ICEP List. This supports the credibility of the information provided by Claimant [REDACTED 2]. Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a person named Bela Weiskopf, and indicates that his place of birth was Orsova and that he resided in Szombathely, which matches the information about the Account Owner provided by Claimant [REDACTED 1]. The

⁸ The CRT notes that the change of name certificate submitted by Claimant [REDACTED 4] indicates that his first name was Belo, whereas the Account Owner's first name was Bela. The CRT further notes that Claimant [REDACTED 4] indicated in his Claim Form that "Belo" was a variation of his first name, Bela.

database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel.

The CRT notes that the name Bela Feher appears only once on the February 2001 published list of accounts determined by ICEP to be probably or possibly those of victims of Nazi persecution.

The CRT notes that Claimant [REDACTED 1]'s and Claimant [REDACTED 2]'s relative, and Claimant [REDACTED 4](Claimant [REDACTED 3]'s brother) are not the same person. However, given that the Claimants have identified all published information about the Account Owner that is available in the Bank's records; and that there is no additional information in the Bank's records which would provide a basis for the CRT to make any further determinations as to the identity of the Account Owner, the CRT finds that Claimant [REDACTED 1], Claimant [REDACTED 2], Claimant [REDACTED 4], and [REDACTED 3] have each plausibly identified the Account Owner.

Status of the Account Owner as a Victim of Nazi Persecution

Claimant [REDACTED 1] and Claimant [REDACTED 2]

Claimant [REDACTED 1] and Claimant [REDACTED 2] have made a plausible showing that the Account Owner was a Victim of Nazi Persecution. Claimant [REDACTED 1] stated that the Account Owner was Jewish, that he resided in Nazi-occupied Romania, and that he was deported to Auschwitz and never heard from again. The CRT notes that Claimant [REDACTED 1] and Claimant [REDACTED 2] also identified information which matches information contained in the Yad Vashem records.

Claimant [REDACTED 4] and Claimant [REDACTED 3]

Claimant [REDACTED 4] and Claimant [REDACTED 3] have also made a plausible showing that the Account Owner was a Victim of Nazi Persecution. Claimant [REDACTED 4] and Claimant [REDACTED 3] stated that the Account Owner was Jewish, that he resided in Nazi-occupied Hungary, and that he was interned in a forced labor camp from 1941 to 1943 and, subsequently, in Auschwitz from 1943 to 1945.

The Claimants' Relationships to the Account Owner

Claimant [REDACTED 1] and Claimant [REDACTED 2]

Claimant [REDACTED 1] and Claimant [REDACTED 2] have plausibly demonstrated that they are related to the Account Owner by submitting specific information and documents, demonstrating that the Account Owner was Claimant [REDACTED 1]'s maternal great-uncle and Claimant [REDACTED 2]'s paternal uncle. These documents include: (1) a letter from the land registry of Szombathely to [REDACTED 2], regarding her inquiry regarding property owned by Bela Feher/Weiskopf; (2) notices regarding property belonging to [REDACTED] and [REDACTED]; (3) Claimant [REDACTED 2]'s birth and death certificates, indicating that her father was [REDACTED]; (4) a notarized document, indicating that Claimant [REDACTED 1]

is the sole heir of Claimant [REDACTED 2]; and (5) Claimant [REDACTED 1]'s Romanian identification card, indicating that his mother was [REDACTED].

The CRT further notes that Claimant [REDACTED 2] filed an Initial Questionnaire with the Court in 1999, identifying the relationship between the Account Owner and Claimant [REDACTED 2], prior to the publication in February 2001 of the ICEP List, and Claimant [REDACTED 1] and Claimant [REDACTED 2] also identified information which matches information contained 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 Claimant [REDACTED 1] and Claimant [REDACTED 2] as a family member, and all of this information supports the plausibility that Claimant [REDACTED 1] and Claimant [REDACTED 2] are related to the Account Owner, as they have asserted in their Claim Forms.

Claimant [REDACTED 4] and Claimant [REDACTED 3]

Claimant [REDACTED 4] and Claimant [REDACTED 3] have also plausibly demonstrated that they are related to the Account Owner by submitting specific information and documents, demonstrating that the Account Owner was Claimant [REDACTED 4], who was Claimant [REDACTED 3]'s brother. These documents include Claimant [REDACTED 4]'s birth certificate, indicating that he was born Belo Feher.

The Issue of Who Received the Proceeds

The Bank's records indicate that the account was transferred to a suspense account, where it remains today.

Basis for the Award

The CRT has determined that an Award may be made in favor of Claimant [REDACTED 1] and Claimant [REDACTED 4].⁹ First, the claims are admissible in accordance with the criteria contained in Article 18 of the Rules. Second, the Claimants have plausibly demonstrated that the Account Owner was Claimant [REDACTED 1]'s maternal great-uncle, Claimant [REDACTED 2]'s paternal uncle, and Claimant [REDACTED 4], and those relationships justify an Award. Third, the CRT has determined that it is plausible that neither the Account Owner nor his heirs received the proceeds of the claimed account.

Further, the CRT notes that Claimant [REDACTED 4], as the Account Owner, has a better entitlement to the account than Claimant [REDACTED 3], the Account Owner's brother.

Amount of the Award

⁹ The CRT notes that Claimant [REDACTED 2] would have been entitled to share in the award, and that as the Account Owner's niece, she would have been more entitled than her son, Claimant [REDACTED 1], the Account Owner's great-nephew. However, as noted above, Claimant [REDACTED 2] died in 2000, leaving Claimant [REDACTED 1] as her sole heir, and the CRT is therefore awarding her share of the account to Claimant [REDACTED 1].

In this case, the Account Owner held one savings/passbook account. The Bank's records indicate that the balance of the account was SF 16.35 as of 31 December 1974. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 450.00, which reflects standardized bank fees charged to the savings/passbook account between 1945 and 1974. Consequently, the adjusted balance of the account at issue is SF 466.35. 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.

Division of the Award

According to Article 26 of the Rules, in cases where the identity of the account owner cannot be precisely determined due to the limited information contained in the bank documents, and where several unrelated claimants have established a plausible relationship to a person with the same name as the account owner, the award will provide for a pro rata share of the full amount in the account to each claimant or group of claimants who would be otherwise entitled under these Rules. In this case, each claimant has established a plausible relationship to a person with the same name as the Account Owner. Accordingly, Claimant [REDACTED 4] is entitled to one-half of the Award amount, and Claimant [REDACTED 1] and Claimant [REDACTED 2] is entitled to one-half of the Award amount.¹⁰

As noted above, Claimant [REDACTED 3] is not entitled to share in the award.

Scope of the Award

The Claimants should be aware that, pursuant to Article 20 of the Rules, the CRT will carry out further research on their claims to determine whether there are additional Swiss bank accounts to which they 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
9 November 2006

¹⁰ See footnote 9, *supra*.