

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Award**

to Claimant [REDACTED]  
represented by Milan Vanak

**in re Account of Maria Feller**

Claim Number: 501156/AC

Award Amount: 10,375.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED], née Feller, (the “Claimant”) to the published account of Maria Feller (the “Account Owner”) at the Lugano 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 herself, [REDACTED], née Feller, as the Account Owner. The Claimant indicated that she was born on 24 March 1937 in Bratislava, Czechoslovakia (today Slovakia), and was married to [REDACTED] on 24 March 1977 in Haifa, Israel. The Claimant further indicated that she is Jewish. According to the Claimant, her parents, [REDACTED] and [REDACTED], née [REDACTED], opened the account in her name when she was a child living in Brezno, Czechoslovakia (today Slovakia), where her father worked as a medical doctor until his death in 1941. The Claimant submitted a copy of her own birth certificate, indicating that [REDACTED] was born on 24 March 1937 in Bratislava, that her parents were [REDACTED] and [REDACTED], and that the family was Jewish.

## **Information Available in the Bank’s Record**

The Bank’s record consists of a printout from the Bank’s database. According to this record, the Account Owner was Maria Feller. There is no information in the Bank’s record regarding the Account Owner’s domicile. The Bank’s record indicates that the Account Owner held a savings/passbook account, numbered 0456-9089. The Bank’s record further indicates that the account was considered dormant by the Bank and was transferred to a suspense account, but the

date of the transfer is not known. The balance of the account at time of the transfer was 7.15 Swiss Francs ("SF"). The account remains suspended.

## **The CRT's Analysis**

### Identification of the Account Owner

The Claimant's name matches the published name of the Account Owner. The CRT notes that the Bank's record does not contain any specific information about the Account Owner other than her name. The CRT further notes that it is plausible that the Claimant's parents opened the account in their daughter's name, and that they used her middle and last names for this purpose.

In support of her claim, the Claimant submitted documents, including a copy of her own birth certificate, providing independent verification that the person who is claimed to be the Account Owner had the same name recorded in the Bank's record as the name of the Account Owner. The CRT notes that the name Maria Feller appears only once on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons ("ICEP") to be probably or possibly those of victims of Nazi persecution. The CRT also notes that there are no other claims to this account. 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 she is Jewish, and that she and her family resided in Nazi-controlled Czechoslovakia.

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

The Claimant has plausibly demonstrated that she is the Account Owner by submitting specific information and documents, including a copy of her own birth certificate, identifying her as [REDACTED].

### The Issue of Who Received the Proceeds

The Bank's record indicates that the account was transferred to the Bank's suspense account, where it remains.

### 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 (the "Rules"). Second, the Claimant has plausibly demonstrated that she is the Account Owner, and that justifies an Award. Third, the CRT has determined that neither the Account Owner nor her heirs received the proceeds of the claimed account.

### Amount of the Award

In this case, the Account Owner held one savings/passbook account. The Bank's record indicates that the value of the savings/passbook account was SF 7.15, but the date of this balance is not known. As the balance date is not known, the CRT is not able to calculate the adjusted balance of the account and shall therefore treat the balance of the account as unknown. Pursuant to Article 29 of the Rules, when the value of an account is unknown, the average value of the same or a similar type of account in 1945 is used to calculate the current value of the account being awarded. Based on the investigation carried out pursuant to the instructions of ICEP ("ICEP Investigation"), in 1945 the average value of a savings/passbook account was SF 830.00. The current value of this amount is calculated by multiplying it 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.

### **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 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  
6 May 2006