

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of Margrit Glueck

Claim Number: 789007/MBC^{1,2}

Award Amount: 49,375.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the unpublished account of Margrit Glueck (the “Account Owner”) at the Biel branch of the [REDACTED] (the “Bank”).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 an Initial Questionnaire (“IQ”) identifying the Account Owner as her mother, Margit (Margaret) Spitzer, née Glück, who was born on 9 June 1905 in Nyiregyhaza, Hungary, and was married to [REDACTED] on 1 September 1935 in Nyiregyhaza. The Claimant indicated that her mother, who was Jewish, resided at Ferenc korut 41 in Budapest, Hungary, after her marriage. The Claimant explained that in 1944, her parents’ apartment was confiscated and that they were forced to live in the Budapest ghetto, where they were forced to wear yellow stars, and where her father was murdered in December 1944. The Claimant further indicated that in October 1944, her mother was deported to a camp in Lichtenworth, Austria, where she was imprisoned until her liberation in May 1945. According to information provided by the Claimant, her mother returned to Budapest, where she remarried and eventually died on 13 September 1977.

¹ [REDACTED] did not submit a Claim Form to the CRT. However, in 1999 she submitted an Initial Questionnaire (“IQ”), numbered ENG-0775-071, 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 IQs 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 789007.

² The Claimant submitted two additional claims, which are registered under the Claim Numbers 701660 and 701903. The CRT will treat these claims in separate determinations.

The Claimant submitted documents in support of her claim, including: (1) a copy of her own birth and marriage certificates, indicating that she was born on 13 November 1936 in Budapest and that she was the daughter of [REDACTED] and Margit Glück; (2) a copy of her parents' marriage certificate, indicating that Margit Glück married [REDACTED] on 1 September 1935 in Nyiregyhaza, and that they were Jewish; (3) a copy of her mother's death certificate, indicating that Margit Glück, died on 13 September 1977 in Budapest; and (4) documents issued by the Hungarian Federation of Resistance Fighters and Antifascists, indicating that the Claimant's family were forcibly confined to a Jewish ghetto in Budapest in 1944, were forced to wear yellow stars, and that the Claimant's father was deemed to have been murdered by the Nazis in December 1944. The Claimant indicated that she was born on 13 November 1936 in Budapest.

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 Margrit Glueck. The Bank's record does not indicate the Account Owner's place of residence. The Bank's record indicates that the Account Owner held one account, the type of which is not indicated, numbered 4266. The Bank's record also indicates that the account was transferred to a suspense account on 4 November 1961, as of which date it had a balance of 2.80 Swiss Francs ("SF"). The Bank's record indicates that the last date of contact with the Account Owner was 20 November 1933. The account remains suspended.

The CRT's Analysis

Identification of the Account Owner

The Claimant's mother's name is substantially similar to the unpublished name of the Account Owner.³ The CRT notes that Margit is a Hungarian version for the name Margrit. The CRT further notes that the Bank's record does not contain any specific information about the Account Owner other than her name.

In support of her claim, the Claimant submitted documents, including copies of her own birth and marriage certificates and her mother's marriage and death certificates, providing independent verification that the person who is claimed to be the Account Owner had the same name as recorded in the Bank's record as the name of the Account Owner. The CRT notes that the other claims to this account were disconfirmed because those claimants provided different spellings for the names of their relatives than the name of the Account Owner. 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

³ The CRT notes that "ue" is the transliteration of the umlaut "ü."

Persecution. The Claimant stated that the Account Owner was Jewish, that she was forced to live in the Budapest ghetto, that she was forced to wear a Jewish star, and that her spouse was murdered by the Nazis. The Claimant further indicated that the Account Owner was deported by the Nazis to the Lichtenworth camp.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting specific information and documents, demonstrating that the Account Owner was her mother. These documents include the Claimant's birth certificate, indicating that her parents were [REDACTED] and Margit Glück. There is no information to indicate that the Account Owner has other surviving heirs.

The Issue of Who Received the Proceeds

The Bank's record indicates that the account was transferred to a 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 the Account Owner was her mother, and that relationship 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 an account of unknown type. The Bank's record indicates that the value of the account as of 4 November 1961 was SF 2.80. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 255.00, which reflects standardized bank fees charged to the account between 1945 and 1961. Consequently, the adjusted balance of the account at issue is SF 257.80. According to Article 29 of the Rules, if the amount in an account of unknown type was less than SF 3,950.00, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be SF 3,950.00. 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 49,375.00.

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