

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED 1]

in re Account of Nathan Levi

Claim Number: 210961/SJ

Award Amount: 168,037.50 Swiss Francs

This Certified Award is based upon the claim of [REDACTED 1] (the “Claimant”) to the account of [REDACTED],¹ in which he also identified Nathan Levi as a possible account owner. This Award is to the published account of Nathan Levi (the “Account Owner”) at the Brugg 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 the Account Owner as his paternal grandfather, Nathan Levi, who was born in 1860 in Germany, and was married to [REDACTED], née [REDACTED].² The Claimant indicated that his grandfather, who was Jewish, owned a hardware store in Winnweiler, Germany. The Claimant also indicated his father, [REDACTED], was born in Winnweiler on 8 February 1890 and that the Claimant’s parents continued to live in Winnweiler until 1920. The Claimant stated that many of his relatives perished in concentration camps, including his grandmother, [REDACTED]. The Claimant further indicated that in May 1936, in order to escape Nazi persecution, his family was forced to flee Germany to the United States. The Claimant indicated that his grandfather died in 1939, but that he has no knowledge of the particular circumstances of his death.

In support of his claim, the Claimant submitted the death certificate of his father, [REDACTED], indicating that the father of the deceased was Nathan Levi; the Claimant’s birth certificate,

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

² The CRT notes that the Claimant indicated in his Claim Form that his paternal grandmother’s name was Sophie Levi, née Schwartz. The CRT further notes, however, that the death certificates of the Claimants’ parents, as well as the submitted family tree, indicate that his paternal grandparents were Nathan and [REDACTED] Levi. In a telephone conversation with the CRT on 2 December 2002, the Claimant confirmed that his paternal grandmother’s name was [REDACTED], née [REDACTED].

indicating that his father was [REDACTED]; his own childhood vaccination report issued in 1936 in Waldmohr, Germany, and; a travel document issued to his father in 1938 in Waldmohr. The Claimant indicated that he was born on 7 December 1928 in Waldmohr.

Information Available in the Bank's Records

The Bank's records consist of internal bank correspondence and a list of referenced accounts. According to these records, the Account Owner was Nathan Levi, who resided in Frankfurt, Germany. The Bank's records indicate that Nathan Levi held a demand deposit account with a balance of 13,443.00 Swiss Francs ("SF") on 31 July 1933. According to these records, which are dated between 8 December 1933 and 22 August 1935, the account was one of several accounts appropriated by the Swiss government in order to settle outstanding debts resulting from German reparations and currency instability following the First World War. The auditors who carried out the investigation to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons ("ICEP" or the "ICEP Investigation") reported that this account was transferred to the Swiss government on 8 December 1933. The amount in the account on the date of its transfer is unknown.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. The Claimant's grandfather's name and country of residence match the published name and country of residence of the Account Owner. The Claimant identified the Account Owner's city of residence as Winnweiler, Germany, a small village located approximately 100 kilometers from Frankfurt, Germany, the unpublished city of residence of the Account Owner contained in the Bank's records. The CRT further notes that it is plausible that the Account Owner used Frankfurt as his city of residence when opening up the bank account because Frankfurt is the closest major city to Winnweiler. In support of his claim, the Claimant submitted documents, including his father's death certificate, indicating that the father of the deceased was Nathan Levi, providing independent verification that the person who is claimed to be the Account Owner had the same name as the person recorded in the Bank's records as the Account Owner. The CRT further notes that the name Nathan Levi appears only once on the February 2001 published list of accounts determined by ICEP to be probably those of victims of Nazi persecution (the "ICEP List"). Finally, the CRT notes that there are no other claims to this account. Taking all 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 the Account Owner was Jewish, that he lived in Germany under the Nazi regime and that his wife was killed in a concentration camp.

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 grandfather. These documents include the death certificate of his father, [REDACTED], indicating that the father of the deceased was Nathan Levi, and the Claimant's birth certificate, indicating that his father was [REDACTED]. There is no information to indicate that the Account Owner has other surviving heirs.

The Issue of Who Received the Proceeds

The Bank's records indicate the account was transferred to the Swiss government as partial settlement of outstanding debts resulting from German reparations and currency instability following the First World War.

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 his grandfather, and that relationship justifies 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.

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 demand deposit account as of 31 July 1933 was SF 13,443.00. The current value of the amount of the award is determined by multiplying the historic value by a factor of 12.5, in accordance with Article 31(1) of the Rules. Consequently, the total award amount in this case is SF 168,037.50.

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
10 December 2004