

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

## **in re Account of Adolf Bauer**

Claim Number: 002317/MG

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the published account of Adolf Bauer (the “Account Owner”) at the [REDACTED] (the “Bank”).

All denials 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 asserting that her maternal grandfather, Adolf (Adolph) Bauer, who was born in Lübeck, Germany, and was married to Elisabeth (Elsbeth, Betti) Bauer, née Lisauer, in Lübeck, owned a Swiss bank account. The Claimant stated that her grandfather, who was Jewish, had two children: [REDACTED], née [REDACTED], (the Claimant’s mother), and [REDACTED]. The Claimant further stated that her grandfather was a tailor. The Claimant indicated that her grandfather died before 1933. The Claimant indicated that she was born on 19 August 1915 in Hamburg, Germany.

The Claimant submitted documents in support of her application, including her birth certificate.

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

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Adolf (Adolph) Bauer. 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 one account whose owner’s and power of attorney holder’s names match those provided by the Claimant. The account is identified below by its Account Identification Number, which is a number assigned to the account by the ICEP auditors for tracking purposes.

## Account 2015891

The Bank's records indicate that the Account Owner was Adolf Bauer, who resided in Frankfurt, Germany, and that the Power of Attorney Holder was Elsbeth Bauer. The Bank's records also indicate the name and maiden name of the Account Owner's spouse, the name of the Account Owner's child, the Account Owner's street address, and the Account Owner's relationship to the Power of Attorney Holder.

## **The CRT's Analysis**

### Admissibility of the Claim

The CRT has determined that the claim is admissible according to Article 18 of the Rules Governing the Claims Resolution Process, as amended (the "Rules").

### Identification of the Account Owner

The CRT concludes that the Claimant has not identified the Account Owner as her relative. Although the name of her grandfather matches the published name of the Account Owner, the information provided by the Claimant differs materially from the unpublished information about the Account Owner and the Power of Attorney Holder available in the Bank's records. Specifically, the Claimant stated that her grandfather was married to Elisabeth (Elsbeth, Betti) Bauer, née Lisauer. In contrast, the Bank's records show that the Account Owner was married to someone else. The Claimant also stated that her grandfather had two children: [REDACTED], née [REDACTED], (the Claimant's mother), and [REDACTED]. In contrast, the Bank's records show that the Account Owner had a child with a different name. In addition, the Claimant did not identify the familial relationship between the Account Owner and the Power of Attorney Holder. Moreover, the Claimant did not submit any documents regarding Adolf Bauer, or establish a connection to Frankfurt, Germany, which is more than 400 kilometers from Lübeck, Germany, where her grandfather was born and married, and 200 kilometers from Berlin, Germany, where her grandfather died. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandfather are the same person.

### Right of Appeal

Pursuant to Article 30 of the Rules, the Claimant may appeal this Denial to the Court through the Special Masters within ninety (90) days of the date of the letter accompanying this decision. Appeals should be delivered to the following address: Office of the Special Master, c/o Claims Resolution Tribunal, P.O. Box 9564, 8036 Zurich, Switzerland.

The Claimant should send appeals in writing to the above address and should include all reasons for the appeal. If more than one account has been denied in this Certified Denial, the Claimant should identify the Account Identification Number that forms the basis of the appeal. Appeals submitted without either a plausible suggestion of error or relevant new evidence may be summarily denied.

### **Scope of the Denial**

The Claimant should be aware that the CRT will carry out further research on her claim to determine whether an award may be made based upon the information provided by the Claimant or upon information from other sources.

### **Certification of the Denial**

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal  
10 September 2004