

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED 1]
also acting on behalf of [REDACTED 2]

in re Account of A. Baum

Claim Number: 216026/AH

This Certified Denial is based on the claim of [REDACTED 1], née [REDACTED], (the “Claimant”) to an account of Albert Baum. The CRT did not locate an account belonging to Albert Baum in the Account History Database prepared pursuant to the investigation of the Independent Committee of Eminent Persons (“ICEP” or “ICEP Investigation”) which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules Governing the Claims Resolution Process, as amended (the “Rules”). This Denial is to the published account of A. Baum (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 father, Dr. Albert Baum, owned a Swiss bank account. The Claimant stated that her father was born on 22 October 1885 in Vienna, Austria, and was married to [REDACTED], née [REDACTED], in Vienna. The Claimant added that her father was a medical doctor and resided in Vienna between 1885 and 1938. The Claimant stated that her father, who was Jewish, was interned in concentration camps between 1938 and 1939, after which time he resided in Montpellier, France, and then in the United States until his death in 1957. The Claimant indicated that she was born on 24 January 1932 in Vienna.

The Claimant submitted numerous documents in support of her application, including: (1) copies of her own and her father’s birth certificates; and (2) copies of the Claimant’s parent’s certified records, indicating the Claimant’s father’s name and residence in Vienna.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Albert Baum. The auditors, who carried out the ICEP Investigation reported one account whose

owner's name is substantially similar to that 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 1000120

The Bank's records indicate that the Account Owner was, A. Baum, who resided in Germany. The Bank's records also indicate that the Account Owner was a woman and indicate her city of residence. Furthermore, the Bank's records indicate the dates of opening and closing of the account at issue.

The CRT's Analysis

Admissibility of the Claim

The CRT has determined that the claim is admissible according to Article 18 of 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 father matches to the published first name initial and family name of the Account Owner, the information provided by the Claimant differs materially from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her father was the Account Owner and that he resided in Austria. In contrast, the Bank's records show that the Account Owner was a woman and resided in Germany. Consequently, the CRT concludes that the Account Owner and the Claimant's father are not 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
19 November 2004