

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of A. Baum

Claim Number: 215933/AX¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) 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 his paternal grandfather, [REDACTED], who was born in Dortmund, Germany and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that his grandfather, who was Jewish, lived in Dortmund, where he owned a livestock business. The Claimant further stated that his grandfather had two children: [REDACTED] (the Claimant’s father), and [REDACTED], née [REDACTED], who perished in a concentration camp. According to the Claimant, the family never heard from [REDACTED] after 1938 and presumed that he was killed in a concentration camp. The Claimant indicated that he was born on 28 July 1932 in Dortmund.

The Claimant submitted documents in support of his application, including: (1) a copy of the Claimant’s birth certificate; (2) a copy of the Claimant’s father’s ([REDACTED]’s) immigration identification card and certificate of naturalization; (3) a photograph of [REDACTED] and [REDACTED]; and (4) a family tree.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, [REDACTED]. 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

¹ The Claimant submitted an additional claim to the account of Hanny Zander, which is registered under the Claim Number 215934. The CRT will treat the claim to this account in a separate decision.

(“ICEP” or 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 the Account Owner’s city of residence and the fact that the Account Owner was a woman. 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 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 his relative. Although the name of his grandfather matches the published first name initial and family name of the Account Owner, the information provided by the Claimant differs materially from the unpublished information about the Account Owner available in the Bank’s records. Specifically, the Claimant claimed the account of his grandfather, who resided in Dortmund. In contrast, the Bank’s records show that the Account Owner was a woman, and that she resided in a different city in Germany. Consequently, the CRT concludes that the Account Owner and the Claimant’s grandfather 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 his 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
30 September 2004