

# 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 H. L. Beck**

Claim Number: 400522/AV; 774461/AV<sup>1,2,3</sup>

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published account of H. L. Beck and to an account of Helene Beck, née Axelrod.<sup>4</sup> This Denial is to the published account of H. L. Beck (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 uncle, Heinrich (H. L.) Beck, who was born on 24 September 1881 in Vienna, Austria, owned a Swiss bank account. In addition, the Claimant submitted an Initial Questionnaire with the Court in 1999, asserting that his aunt, Helene Natalie Beck, née Axelrod, who was born on 20 December 1895, and who was married to Heinrich Beck in Vienna, owned a Swiss bank account. The Claimant indicated that his uncle and aunt, who were Jewish, resided in Vienna, where the Claimant’s uncle was a bank director. The Claimant stated that his uncle and aunt were deported from Vienna to the ghetto in Riga, Latvia on 23 November 1941, that his uncle perished at the concentration camp in Kaunas

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<sup>1</sup> [REDACTED] (the “Claimant”) submitted additional claims to the accounts of Oskar Beck and Adolf Glaser, which are registered under the Claim Numbers 770668 and 774460, respectively. The CRT will treat the claims to these accounts in separate determinations.

<sup>2</sup> The Claimant did not submit a Claim Form to the Claims Resolution Tribunal claiming the account of Helene Beck. However, in 1999 he submitted an Initial Questionnaire, numbered ENG-0159-131, to the Court in the United States. Although this Initial Questionnaire was not a Claim Form, the Court, in an Order signed on 30 July 2001, ordered that those Initial Questionnaires 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 Initial Questionnaire was forwarded to the CRT and has been assigned claim number 774461.

<sup>3</sup> According to Article 37 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the two claims of the Claimant in one proceeding.

<sup>4</sup> On 30 December 2004, the Court approved an Award to the Claimant for the account of Helene Beck. See *In re Account of Helene Beck*.

(Kovno), Lithuania, and that his aunt perished in the ghetto in Lodz, Poland. The Claimant indicated that he was born on 7 May 1920 in Vienna.

The Claimant submitted his birth certificate in support of his application, indicating that he was born in Vienna.

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

The CRT notes that the Claimant submitted a claim to an account belonging to his relatives, Heinrich (H. L.) Beck and Helene Beck. In addition to the account of Helene Beck, for which an Award to the Claimant was approved by the Court on 30 December 2004,<sup>5</sup> 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 name matches 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 5029791

The Bank's records indicate that the Account Owner was H. L. Beck. The Bank's records also indicate the Account Owner's city and country of residence. Furthermore, the Bank's records indicate the dates of opening and closing of the account at issue. Finally, the Bank's records contain the Account Owner's signature.

### **The CRT's Analysis**

#### Admissibility of the Claims

The CRT has determined that the claims are 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 either of his relatives. Although the names of his uncle and his aunt match the published first initial and surname 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 stated that his uncle and aunt resided in Austria. In contrast, the Bank's records show that the Account Owner resided in a different country, to which the Claimant established no connection. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's uncle or aunt are the same person.

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<sup>5</sup> See *In re Account of Helene Beck* (approved on 30 December 2004).

### 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 Special Master Michael Bradfield, 51 Louisiana Ave., NW, Washington, DC 20001 USA.

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 which 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  
21 September 2005