

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Robert Beck

in re Account of Rudolf Beck

Claim Number: 201338/SB^{1,2}

This Certified Denial is based on the claim of Robert Beck (the “Claimant”) to the account of Rudolph Beck, formerly known as Rudolph Becicka (also spelt Bezizka). The CRT did not locate an account belonging to Rudolph Becicka (Bezizka) in the Account History Database prepared pursuant to the investigation of the Independent Committee of Eminent Persons (“ICEP” or “ICEP Investigation”), as defined in the Rules Governing the Claims Resolution Process, as amended (the “Rules”). This Denial is to the published accounts of Rudolf Beck (the “Account Owner”) at the [REDACTED] (the “Bank”).

All denials are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form asserting that his father, Rudolf Beck, who was born on 5 February 1897 in Podivin, then Austria-Hungary, and was married to Regina Beck on 24 July 1920, owned a Swiss bank account. The Claimant stated that the family, which was Jewish, lived in Vienna, Austria until 1938 and provided their street addresses. The Claimant further indicated that the family emigrated from Austria to the United States in 1938. In a telephone conversation with the CRT on 31 January 2003, the Claimant stated that his family changed their last name to Beck when they fled Austria. The Claimant added that his father died on 4 December 1987 in New York, New York, the United States.

The Claimant submitted documents in support of his application, including: (1) a copy of his mother’s birth certificate, his birth certificate indicating his name as Robert Bezizka; (2) a copy of his school certificate, dated 2 July 1938, which is made out to Robert Becicka; (3) a copy of his Certificate of Naturalization, dated 27 April 1944, which is made out to Robert Beck; (4) a copy of the United States Passport Agency’s notice of name change for Robert Becicka; (5) a

¹ The Claimant submitted an additional claim to the account of Regina Beck, which is registered under the Claim Number 201373. The CRT will treat the claim to this account in a separate decision.

² The Claimant submitted an Initial Questionnaire with the Court in 1999 and a Claim Form to the CRT. The CRT is treating the Initial Questionnaire and the Claim Form under the consolidated Claim Number 201338.

copy of Rudolph Beck's death certificate. The Claimant indicated that he was born on 25 December 1922 in Vienna, Austria.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by Rudolf Beck (Becicka).

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Rudolph Beck. 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 5029285

The Bank's records indicate that the Account Owner was Rudolf Beck, who resided in Vienna, Austria and that the Power of Attorney Holder was Rosa Beck. The Bank's records further indicate the Account Owner street address and the year of opening 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 his father. Although the name of his father is substantially similar to the published name of the Account Owner, the information provided by the Claimant differs from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that their family name was originally Becicka, or Bezizka, and that it was not changed until they emigrated to the United States in 1938. In contrast, the Bank's records show that the Account Owner's name was Rudolf Beck several years before 1938. The Claimant also failed to identify the published Power of Attorney Holder, although she shared the same last name as the Account Owner. The Claimant also provided different street addresses from the Account Owner's street address as indicated in the Bank's records. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father are the same person. Moreover, it should be noted that the CRT awarded the account to a claimant who plausibly identified Account Owner Rudolph Beck as his relative. A copy of the award -- In re Account of Rudolf Beck -- is enclosed.

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
10 September 2004