

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]<sup>1</sup>

**in re Account of Rudolf Beck**

Claim Number: 211397/MG<sup>2</sup>

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published account of Rudolf 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 uncle, Rudolf Beck, who was born on 10 June 1896 in Leipzig, Germany, and was of Austrian nationality, owned a Swiss bank account. The Claimant stated that his uncle was married twice; first to [REDACTED], née [REDACTED], with whom he had two children, [REDACTED] and [REDACTED], and later to [REDACTED], whose maiden name is unknown to the Claimant, and with whom his uncle did not have any children. The Claimant stated that his uncle, who was Jewish, resided in Leipzig and Chemnitz, Germany, and that, before or after the Second World War, he left for Palestine, via Vienna, Austria or Switzerland. The Claimant indicated that his uncle died in 1964 in Tel Aviv, Israel. The Claimant indicated that he was born on 20 April 1933 in Amsterdam, the Netherlands.

The Claimant previously submitted an Initial Questionnaire with the Court in 2000, asserting his entitlement to a Swiss bank account owned by Rudolf Beck.

The Claimant submitted documents in support of his application, including: (1) his uncle’s parents’ marriage certificate and family book; and (2) his father’s marriage certificate and family book.

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<sup>1</sup> The Claimant submitted an additional claim to the account of Karl Beck, which is registered under the Claim Number 210772. The CRT will treat the claim to this account in a separate decision.

<sup>2</sup> The Claimant submitted an Initial Questionnaire with the Court in 2000 and a Claim Form to the CRT. The CRT is treating the Initial Questionnaire and the Claim Form under the consolidated Claim Number 211397.

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

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Rudolf Beck. 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 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 also indicate the Account Owner's street address. Furthermore, the Bank's records indicate the date on which the power of attorney was granted. Finally, the Bank's records contain the Account Owner's and the Power of Attorney Holder's signature samples.

## **Information Available from the Austrian State Archive**

By decree on 26 April 1938, the Nazi Regime required all Jews who resided within the Reich, and/or who were nationals of the Reich, including Austria, and who held assets above a specified level to register all their assets as of 27 April 1938 (the "1938 Census"). In the records of the Austrian State Archive (Archive of the Republic, Finance), there are documents concerning the assets of Rudolf Beck. These records indicate Rudolf Beck's date of birth, street address, profession, the name of his spouse, the names of his children and his signature sample. The CRT notes that the street address and signature sample of Rudolf Beck contained in the Austrian State Archive records are identical to the street address and signature sample of the Account Owner contained in the Bank's records, and therefore concludes that they are the same person.

## **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 uncle matches the published name of the Account Owner, the information provided by the Claimant differs materially from information available in the Austrian State Archive records and the unpublished information about the Account Owner in the Bank's records. Specifically, the Claimant stated that his uncle was born on 10 June 1896. In contrast, the Austrian State Archive records show that the Account Owner was born many years

before that date. The Claimant stated that his uncle had two children, [REDACTED] and [REDACTED], with his first wife and no children with his second wife. In contrast, the Austrian State Archive records indicate that the Account Owner had children with different names. The Claimant stated that his uncle resided in Leipzig and Chemnitz, Germany, and that he passed through Vienna, Austria or Switzerland on his way to Palestine. In contrast, the Bank's records and the Austrian State Archive records show that the Account Owner resided in Vienna for many years. The Claimant stated that his uncle's children by his first wife, [REDACTED], née [REDACTED], were born in 1925 and in 1933. In contrast, the Bank's records show that during this period the Account Owner was married to someone else. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's uncle are the same person. Moreover, it should be noted that the CRT has determined that another Claimant has plausibly identified the Account Owner as his relative. All decisions are published upon release on the CRT's website at [www.crt-ii.org](http://www.crt-ii.org).

### 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  
28 September 2004