

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Dr. [REDACTED]

in re Accounts of Adolf Beral

Claim Number: 001242/MG¹

This Certified Denial is based on the claim of Dr. [REDACTED], née [REDACTED], (the “Claimant”) to the published accounts Adolf Beral (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 maternal grandfather, Adolf Abraham Berall (or Beral), owned a Swiss bank account. The Claimant indicated that her grandfather was born in 1880 in Siret, Bucovina, and was married to Dr. [REDACTED], née [REDACTED], in 1918. According to the Claimant, her grandfather was a pharmacist, who lived in Siret from 1918 to 1927 and thereafter resided and worked in Satu Mare, Romania. Furthermore, the Claimant stated that her grandfather, who was Jewish, was forced to give up his pharmacy in 1943 and was later deported to Auschwitz, where he perished in 1944 or 1945. The Claimant indicated that she was born on 23 March 1950 in Satu Mare.

In support of her claim, the Claimant submitted various documents, including copies of her grandfather’s identity card, her mother’s birth certificate, her grandfather’s pharmacist certificate, ownership documents pertaining to the her grandfather’s pharmacy and her grandfather’s inheritance documents.

¹ The Claimant submitted four additional claims to the accounts of her relatives, Mathilde Keller (Kohn), Cecile Wolff, and Alexander Wolff, which are registered under the Claim Numbers 220297, 220298, 220299 and 223120. The CRT will treat the claims to these accounts in separate decisions.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her grandfather, Adolf Abraham Berall (or Beral). 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 two accounts whose owner's name matches that provided by the Claimant.

Accounts 1008683 and 1008684

The Bank's records indicate that the Account Owner was Adolf Beral who resided in Romania. The Bank's records also indicate the Account Owner's city of residence, title and profession. Furthermore, the Bank's records indicate the dates of opening and closing of the accounts 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 her relative. Although the name of her grandfather matches the published 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 indicated that her grandfather lived and worked in Satu Mare during the 1930s, whereas the Bank's records show that the Account Owner gave another city in Romania as his address during that time. Furthermore, the Claimant stated that her grandfather was a pharmacist. In contrast, the Bank's records show that the Account Owner held a different profession. In addition, the CRT notes that the Claimant did not identify the Account Owner's title indicated in the Bank's records. Moreover, it should be noted that the CRT has awarded the accounts to another claimant who plausibly identified the Account Owner as her relative by identifying unpublished information about the Account Owner as contained in the Bank's records. All decisions are published upon release on the CRT's website at www.crt-ii.org. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandfather are 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
13 October 2004