

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Gertrude E. Sandman
represented by Nina Benzi

in re Account of Hermann Blei

Claim Number: 202489/MG^{1,2}

This Certified Denial is based on the claim of Gertrude E. Sandman, née Blaustein, (the “Claimant”) to the accounts of Moses Blei (Blaustein), Herman (Hersh) Blaustein (Blei), and Henri Fried. The CRT did not locate an account belonging to Moses Blei (Blaustein), Herman (Hersh) Blaustein or Henri Fried in the Account History Database prepared pursuant to the investigation of the Independent Committee of Eminent Persons (“ICEP” or “ICEP Investigation”), which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules Governing the Claims Resolution Process, as amended (the “Rules”). This Denial is to the published account of Hermann Blei (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 her father, Herman (Hersh) Blaustein (Blei), who was married to Ethel Blaustein, née Rubin, owned a Swiss bank account. During a telephone conversation on 13 February 2002, the Claimant stated that her father lived in Vienna, Austria until 1934, when he went to Palestine (Israel). The Claimant also stated that her father had no connection to Germany, and had never lived there. The Claimant indicated that she was born on 7 May 1929 in Vienna.

The Claimant submitted her birth certificate in support of her application.

¹ In an effort to locate any and all accounts that might have belonged to the Claimant’s relative, the CRT has reviewed and analyzed all accounts whose owners’ names are substantially similar to that of the Claimant’s relative, even if the Claimant did not specifically claim that particular account. Moreover, the CRT recognizes that, in many cases, spellings of names have changed due to the passage of time in the decades since the Second World War, as well as due to the transcription of names into different languages.

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 202489.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Herman (Hersh) Blaustein (Blei). 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 2015111

The Bank's records indicate that the Account Owner was Hermann Blei, who resided in Berlin, Germany. The Bank's records also indicate the Account Owner's street address, title and profession.

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 her relative. Although the name of her father is substantially similar to the published name of the Account Owner, the information provided by the Claimant differs materially from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her father lived in Vienna until 1934, when he went to Palestine. The Claimant also stated that her father had no connection to Germany. In contrast, the Bank's records show that the Account Owner resided in Berlin, Germany, and had a title, which was not identified by the Claimant. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father are the same person.

Right of Appeal

Pursuant to Article 30 of the Rules, the Claimant/s 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 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
15 July 2005