

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

**in re Account of Gabor Blum
and
Account of Matyas Blum
(Power of Attorney Holder Gabor Blum)¹**

Claim Number: 218241/SB^{2,3}

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published account of Gabor Blum. This Denial is to the published account of Gabor Blum (“Account Owner 1”); and to the published account of Matyas Blum (“Account Owner 2”), over which Gabor Blum (the “Power of Attorney Holder”) held power of attorney, both held 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 paternal great-uncle, Gabor Blum, who was Jewish, owned a Swiss bank account. The Claimant provided very limited information regarding her great-uncle, stating that he was an architect and resided in Budapest, Hungary. The Claimant did not indicate the fate of her great-uncle, but did state that other members of her paternal family perished in the Holocaust. In a telephone conversation of 9 April 2003, the Claimant stated that she did not know what relation Matyas Blum was to the family, nor was she

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’ or power of attorney holders’ names are the same as that of the Claimant’s relative, even if the Claimant could not identify the owner of the account as her relative.

² The Claimant submitted 16 additional claims, which are registered under the Claim Numbers 214057, 214824, 217895, 217926, 218240, 218242, 218445, 218446, 218526, 219032, 400274, 400289, 400306, 400309, 400316 and 400320. In separate decisions, the CRT awarded the accounts of Friedrich Spitz to the Claimant and has treated the Claimant’s claim to the account of Imre Guttmann. See *In re Accounts of Friedrich Spitz* (approved on 27 December 2002) and *In re Account of Imre Guttmann* (approved on 8 August 2006). The CRT will treat the remaining claims in separate determinations.

³ The Claimant submitted an Initial Questionnaire to 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 214057.

able to provide any details regarding this individual. The Claimant indicated that she was born on 19 August 1927 in Budapest, Hungary.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Gabor Blum. 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, or power of attorney holder's, names match that provided by the Claimant. Each 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 5024473

The Bank's records indicate that Account Owner 1 was Gabor Blum, who resided in Budapest, Hungary, and that the power of attorney holder was Matyas Blum. The Bank's records also indicate Account Owner 1's professional or academic title, street address in Budapest and contains Account Owner 1's and power of attorney holder Matyas Blum's signatures.

Account 5029366

The Bank's records indicate that Account Owner 2 was Matyas Blum, who resided in Budapest, Hungary and that the Power of Attorney Holder was Gabor Blum. The Bank's records also indicate Account Owner 2's title, street address in Budapest and the Power of Attorney Holder's professional or academic title, street address, city and country of residence.

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 Owners

The CRT concludes that from the information contained in the Bank's records that Account Owner 1 and the Power of Attorney Holder are the same individual and will be referred to henceforth as Account Owner 1. Similarly, the CRT concludes that Account Owner 2 and power of attorney holder Matyas Blum are the same individual and will be referred to as Account Owner 2.

The CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Although the name and city of residence for her great-uncle matches the published name and city

of residence for Account Owner 1, the information provided by the Claimant differs materially from the unpublished information about Account Owner 1 available in the Bank's records. Specifically, the Claimant stated that her great-uncle was an architect. In contrast, the Bank's records show that Account Owner 1 held a title that is inconsistent with that profession. The CRT notes that the Claimant did not indicate that her great-uncle held a title at all. The CRT also notes that the Claimant did not identify Account Owner 2, even though this person appears to be very closely related to Account Owner 1. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's great-uncle are the same person.

In addition, the CRT notes that a power of attorney holder is not considered to be the owner of an account. After a power of attorney holder dies, his or her powers in an account no longer exist, and they do not pass to his or her heirs. Therefore, even if the Claimant had identified the power of attorney holder, but not the account owner, as her relative, the Claimant would not have been entitled to the account unless there was evidence in the Bank's records that the power of attorney holder and the account owner were related.

Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules, the Claimant may appeal this decision or submit a request for reconsideration within ninety (90) days of the date of the letter accompanying this decision.

An appeal must be based upon a plausible suggestion of error regarding the CRT's conclusions set out in this decision. Any appeals which are submitted without a plausible suggestion of error shall be summarily denied. A request for reconsideration must be based on new documentary evidence not previously presented to the CRT that, if considered, would have led to a different outcome of the claim. Claimants should briefly explain the relevance of the newly submitted documents in view of the conclusions stated in the certified decision.

The Claimant should send appeals and/or requests for reconsideration in writing to the following address: Oren Wiener, Claims Resolution Tribunal, Attention: Appeals / Request for Reconsideration, P.O. Box 9564, 8036 Zurich, Switzerland. If more than one account has been treated in this decision, the Claimant should identify the account, including, where available, the Account Identification Number, that forms the basis of the appeal and/or request for reconsideration.

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
19 March 2007