

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

## **in re Account of Dora Blumenfeld**

Claim Numbers: 221499/MG; 222382/MG; 220787/MG; 220804/MG; 500060/MG;  
500113/MG; 500114/MG; 500115/MG; 500116/MG; 500117/MG; 500118/MG<sup>1,2</sup>

This Certified Denial is based on the claims of [REDACTED] (the “Claimant”) to accounts of Dora Blumenfeld, Ruchel (Ruquel) Naiman (Nayman), Israel Naiman (Nayman), Hersh-Leib Zauberman, Myta Goldstein, Chaia Blumenfeld, Esther Blumenfeld, Anne (Chana) Naiman (Nayman) and Lazur (Lazar) Blumenfeld. The CRT did not locate an account belonging to Ruchel Naiman, Israel Naiman, Hersh-Leib Zauberman, Myta Goldstein, Chaia Blumenfeld, Esther Blumenfeld, Anne (Chana) Naiman (Nayman) or Lazur (Lazar) Blumenfeld 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 Dora Blumenfeld (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 aunt, Dora Blumenfeld, née Brafman, who was born in 1884 in Poland, and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that his aunt, who was Jewish, perished on 26 September 1941, and that her husband died in 1952. The Claimant stated that her family resided in Poland. The Claimant did not provide any further details about his aunt. The Claimant stated that he was born on 18 September 1940 in Toronto, Ontario, Canada.

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<sup>1</sup> According to Article 37 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the eleven claims of the Claimant in one proceeding.

<sup>2</sup> The Claimant submitted Initial Questionnaires with the Court in 1999 and Claim Forms to the CRT. The CRT is treating the Initial Questionnaires and the Claim Forms under the above Claim Numbers.

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

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Dora Blumenfeld. The auditors who carried out 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 5026625

The Bank's records indicate that the Account Owner was Dora Blumenfeld, who resided in Vilnius, Lithuania (previously Wilno, Poland) and that the Power of Attorney Holders were Felix Blumenfeld and Marie Blumenfeld. The Bank's records also indicate the Account Owner's marital status and the name of her child. Furthermore, the Bank's records indicate the date of opening and closing of the account at issue. Finally, the Bank's records contain the Account Owner's and the Power of Attorney Holders' signatures.

## **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 relative. Although the name of his aunt 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 stated that his aunt's husband died in 1952. In contrast, the Bank's records show that the Account Owner's husband died many years before 1952. Moreover, the Claimant did not identify the Power of Attorney Holders, although they bear the same last name as the Account Owner's, nor did he identify the name of the Account Owner's child. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's aunt 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 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  
9 March 2005