

# CLAIMS RESOLUTION TRIBUNAL

---

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

## **Certified Denial**

to Claimant [REDACTED]

**in re Accounts of Carl Bondy (also spelled Karel Bondy)  
(Power of Attorney Holder Margarethe Bondy)<sup>1</sup>**

Claim Number: 600513/SB<sup>2</sup>

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the account of Margaret Zeimer, née Bondy.<sup>3</sup> This Denial is to the published accounts of Carl (or Karel) Bondy (the “Account Owner”), over which Margarethe Bondy (“Power of Attorney Holder 1”) and Wilhelm Bondy (“Power of Attorney Holder 2”) (together “the Power of Attorney Holders”) held power of attorney, at the [REDACTED] (the “Bank”).<sup>4</sup>

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 to the Holocaust Claims Processing Office (“HCPO”) asserting that his mother, Margaret Zeimer, née Bondy, who was born in 1892 in Prague, Austria-Hungary (later Czechoslovakia, today Czech Republic) and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that his mother, who was Jewish, resided in Prague until 1941, when she was deported to the Lodz Ghetto in Poland, where she perished in 1942. The Claimant indicated that he was born on 9 July 1924 in Prague.

---

<sup>1</sup> 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 his relative.

<sup>2</sup> The Claimant submitted a claim, numbered B-00907, on 2 April 1998, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 600513.

<sup>3</sup> The CRT did not locate an account belonging to Margaret Zeimer, née Bondy, 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”).

<sup>4</sup> In this claim, the Claimant also claimed the accounts of Egon Zeimer, Gustav Bondy and George Bondy. In a separate decision, the CRT awarded the Claimant the accounts of Gustav Bondy. See *In re Account of Gustav and Gertrude Bondy* (approved on 23 January 2003). The CRT will treat the remaining claims in a separate determination.

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

By decree on 26 April 1938, the Nazi Regime required all Jews who resided within the Reich, 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 Carl Bondy. These documents indicate Carl Bondy’s address, city of residence, an additional city to which Carl Bondy was connected, and the names of Carl Bondy’s spouse and other family members.

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

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Margaret Zeimer, née Bondy. 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 three accounts whose power of attorney holder’s name matches 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.

### Accounts 5029333, 5035949 and 5033550

The Bank’s records indicate that the Account Owner was Carl (or Karel) Bondy, who resided in Brno, Czechoslovakia and Vienna, Austria, and that the Power of Attorney Holders were Margarethe Bondy and Wilhelm Bondy. The Bank’s records also indicate the Account Owner’s street address, another city of residence for the Account Owner, and the name and location of a business connected with the Account Owner. Furthermore, the Bank’s records indicate the Power of Attorney Holders’ city and country of residence and their street address. The Bank’s records also 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 Holders’ signatures. The CRT notes that the information about the Account Owner is identical to information contained in the 1938 Census declaration filed by Carl Bondy. The CRT therefore concludes that the Account Owner and the person who submitted the 1938 Census records described above 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 Owners and the Power of Attorney Holders

As for Accounts 5029333, 5035949 and 5033550, the CRT concludes that the Claimant has not identified Power of Attorney Holder 1 as his relative. Although the name of his mother matches the published name of Power of Attorney Holder 1, the information provided by the Claimant differs materially from the unpublished information about Power of Attorney Holder 1 available in the Bank's records. Specifically, the Claimant stated that his mother his mother's name was Margaret Zeimer, née Bondy, and that she was married to [REDACTED]. In contrast, the Bank's records and the 1938 Census records show that Power of Attorney Holder 1 had a different maiden name and was married to another person. The CRT also notes that the Claimant did not identify the Account Owner or Power of Attorney Holder 2, even though these persons are closely related to Power of Attorney Holder 1. Consequently, the CRT is unable to conclude that Power of Attorney Holder 1 and the Claimant's mother are the same person. Moreover, it should be noted that the CRT has located another claimant, who plausibly identified Account Owner 1 as his relative.

## 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 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, which 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  
31 October 2005