

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of W. D. Cramer¹

Claim Number: 600202/SB²

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the accounts of William (Wilhelm) Wolf Herzfeld, also known as Wilhelm Krämer and Ernst Herzfeld. The CRT did not locate an account belonging to William (Wilhelm) Wolf Herzfeld, Wilhelm Krämer or Ernst Herzfeld 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 W. D. Cramer (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 to the Holocaust Claims Processing Office (“HCPO”) asserting that his father, William (Wilhelm) Wolf Herzfeld, also known as Wilhelm Krämer, who was born on 17 July 1887 in Frankfurt am Main, Germany, and was married to Irma Rapp on 27 July 1920, owned a Swiss bank account. The Claimant stated that his father, who was Jewish, was a merchant who resided in Frankfurt am Main. The Claimant further stated that his father fled from Germany to the United States, where he died on 18 September 1944. The Claimant indicated that he was born on 29 January 1925 in Frankfurt am Main.

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 a claim, numbered B-01959, on 6 August 1999, 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 600202. The Claimant also submitted an Initial Questionnaire with the court in 1999. The CRT is treating the Initial Questionnaire under the consolidated Claim Number 600202.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by his father, William (Wilhelm) Wolf Herzfeld.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, William (Wilhelm) Wolf Herzfeld, also known as Wilhelm Krämer. The auditors who carried out the ICEP Investigation reported one account whose owner's name is substantially similar to the names 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 1001723

The Bank's records indicate that the Account Owner was W. D. Cramer, who resided in Doorn, the Netherlands. The Bank's records also indicate the Account Owner's title and the date of opening of the account 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.

Identification of the Account Owner

The CRT concludes that the Claimant has not identified the Account Owner as his relative. Although the alternative name of his 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 his father resided in Frankfurt am Main, Germany, and in the United States. In contrast, the Bank's records show that the Account Owner resided in the Netherlands, a country to which the Claimant established no connection. Additionally, the Account Owner's title and middle initial were 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 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