

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to the Estate of Claimant [REDACTED]¹

in re Accounts of Philippe Franz Dan and Elisabeth Dan

Claim Number: 783678/HS²

This Certified Denial is based upon the claim of [REDACTED] (the “Claimant”) to the unpublished accounts of Philippe Franz Dan (“Account Owner Philippe Dan”) and Elisabeth Dan (“Account Owner Elisabeth Dan”) (together the “Account Owners”) at the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 an Initial Questionnaire (“IQ”) identifying the Account Owners as his parents, Philippe (Philip) Francis (Franz, Francois) Dan, who was born in November 1884 in Hungary, and Elisabeth (Erzsebet, Serena) Polacsek Dan, née Fodor, who was born in April 1898. The Claimant stated that his father, who was of Jewish origin, converted to Christianity in 1937, and that his mother was not Jewish. According to the Claimant, his family resided in Budapest, Hungary, where his father owned a fur business, *Philippe Dan Furs*. The Claimant explained that the fur company was very successful, that his father was able to open subsidiary offices in the United Kingdom and Germany, and that his father traveled frequently for business purposes. The Claimant also stated that his father acquired or co-owned several other businesses, including a shoe factory and a rubber goods manufacturing company. The Claimant explained that he and his sister attended boarding schools in Canton Vaud, Switzerland, before the Second World War. The Claimant did not provide his sister’s name, but indicated that she was married to a man named [REDACTED].

¹ The CRT notes that [REDACTED] (the “Claimant”) passed away on 16 March 2008.

² The Claimant did not submit a Claim Form to the CRT. However, in 1999 he submitted an Initial Questionnaire (“IQ”), numbered ENG-0537185, to the Court in the United States. Although this IQ was not a Claim Form, the Court, in an Order signed on 30 July 2001, ordered that those Initial Questionnaires which can be processed as claim forms be treated as timely claims. Order Concerning Use of Initial Questionnaire Responses as Claim Forms in the Claims Resolution Process for Deposited Assets (July 30, 2001). The IQ was forwarded to the CRT and has been assigned claim number 783678.

According to the Claimant, his parents had several joint and individual accounts at the Bank in Zurich and Geneva, Switzerland. The Claimant explained that between the years 1938 and 1941, his mother made four to five trips from Hungary to Paris, France, during which she stopped in Zurich, where she deposited jewelry and funds at the Bank, and that her accounts were managed by a Bank manager named Mr. Leuthold. The Claimant stated that his mother's attorney was Dr. [REDACTED] of Zurich, who was a relative and close friend of the Dan family.

The Claimant stated that around the time of the Nazi invasion of France in May 1940, fearing a German invasion of Switzerland, his mother converted her assets to United States ("US") Dollars and transferred them from the Bank's branch in Switzerland to her account at the Bank's New York branch. According to the Claimant, the assets his mother transferred to New York were frozen by the US government under the Trading with the Enemy Act (the "1941 Freeze").³

The Claimant stated that his father's business, *Philippe Dan Furs*, was taken by the Gestapo. The Claimant further stated that in March 1944, the Nazis arrested his father, but that his mother was able to secure his father's release by paying bribes and ransom. The Claimant stated that his mother was persecuted for being married to a Jewish man, and that several of his relatives were killed in Auschwitz. The Claimant stated that his parents fled to Romania, where they survived the Second World War. According to the Claimant, during the War, his parents repeatedly applied for entrance visas to Switzerland, but that his mother succeeded in receiving only visitor or transit visas to Switzerland.

The Claimant explained that after the end of the Second World War, his mother made her eighteenth trip to Zurich, where she stayed from 27 May 1947 until 3 August 1947 and resided at the *Pension Palace* at Neumühlequai 6. The Claimant stated that his father died on 25 March 1948 in Budapest. The Claimant explained that he himself fled from Communist Hungary in the late 1940s, settling in Belgium, and that he used funds from Switzerland to support himself. According to the Claimant, in August 1948, while his mother was visiting a spa in Tarasp-Vulpera, Switzerland, with friends, she sent funds to him in Belgium from her Swiss bank account.

With respect to the Claimant's mother's assets frozen in the 1941 Freeze, the Claimant stated that he was able to recover these assets for her in March or April 1949. The Claimant specifically stated that he did not wish to claim the assets held by his mother in the US. Rather, he stated that his mother held additional accounts in Switzerland which may not have been recovered. The Claimant stated that his mother may not have been able to transfer all of her assets from Switzerland to the US, since "obviously she could not transfer, e.g., her safe deposit box, nor other bulky items, except account balances. She may have overlooked one account"

³ During the Second World War, the United States government froze certain foreign assets located in the United States, under the powers of the Trading with the Enemy Act of 1917 (50 U.S.C. App.). On 14 June 1941, President Roosevelt extended freezing controls to cover all of continental Europe (the "1941 Freeze"). Executive Order 8785 Regulating Transactions in Foreign Exchange and Foreign-Owned Property, Providing for the Reporting of all Foreign-Owned Property, and Related Matters (6 Fed. Reg. 2897). See *Plunder & Restitution: Findings and Recommendations of the Presidential Advisory Commission on Holocaust Assets in the United States and Staff Report*, SR-44 (US Government Printing Office, 2000), available at http://www.pcha.gov/PlunderRestitution.html/html/Home_Content.html.

The Claimant stated that he was contacted by an attorney who informed him that his mother's name appeared on a list of accounts frozen in the 1941 Freeze, which was published by the World Jewish Congress in 1997.⁴

The Claimant indicated that his mother died in 1977 in Los Angeles, California.

In support of his claim, the Claimant submitted documents, including copies of:

- (1) a letter dated 27 May 1943, from the Hungarian and Italian Chamber of Commerce (*Camera di Commercio Ungherese e Italiana*) to Dr. [REDACTED] in Zurich, regarding procedures for the Claimant's enrollment in the Swiss Federal Institute of Technology in Zurich and indicating that the Claimant lived in Budapest at the time;
- (2) a letter dated 14 January 1948, from the Swiss Federal Foreign Police (*Eidgenössische Fremdenpolizei*) to *Dr. jur.* (doctor of law) [REDACTED] in Zurich, regarding an unspecified application and appeal by the Claimant and Dr. [REDACTED]'s offer to submit documents evidencing the amount and type of the Claimant's assets in Switzerland;
- (3) a telegram dated 21 August 1948 in Tarasp-Vulpera, Switzerland, from a person named Givatowsky (reportedly a friend of the Claimant's mother from Brussels who was visiting Switzerland at the time with his wife and the Claimant's mother), addressed to "Dugrey Bxl" in Belgium, which reads: "communicate to [REDACTED] that his mother has sent fifteen thousand francs telegraphically to my address in his name" ("*communiquiez [REDACTED] que sa mere a envoyez quinze mille francs telegraphiquement a mon adresse a son nom*");
- (4) a nearly illegible letter in French (and an English translation) dated 4 November 1948, from Dr. [REDACTED] to the Belgian Interior Ministry, requesting that the Claimant be allowed to reside in Belgium, and referring to funds in Switzerland guaranteed to support the Claimant for "an unlimited period";
- (5) the Claimant's expired Hungarian passport, bearing a five-day Swiss transit visa issued in Brussels on 4 December 1948, indicating that [REDACTED] arrived in Basel, Switzerland, on 12 December 1948 and that he departed Switzerland via Basel on 18 December 1948;
- (6) a typed statement by the Claimant dated 22 January 1949, recounting his family's fate before, during, and after the Second World War;
- (7) a letter dated 19 April 1949, from the Claimant to the US Department of Justice regarding approximately 20,000.00 US Dollars ("US \$") belonging to his mother, Mrs. Elisabeth Dan (Mrs. Philippe Francois Dan), indicating that these funds had

⁴ The CRT notes that this published list included World War Two era bank accounts that were held in branches of Swiss banks in the United States and that were frozen pursuant to the 1941 Freeze. Such accounts were unfrozen and could be reclaimed by account owners in the period following the Second World War. The auditors who conducted the investigation of Swiss banks pursuant to the instructions of the Independent Committee of Eminent Persons ("ICEP" or "ICEP Investigation") to identify accounts probably or possibly owned by Victims of Nazi Persecution considered evidence of Swiss accounts that had been included in the 1941 Freeze, as well as evidence of activity on such accounts initiated by account owners after the War. Many of the accounts included on this published list were not included by the ICEP auditors among the approximately 36,000 accounts that they identified as probably or possibly belonging to Victims of Nazi Persecution, because the account owners were able to access the accounts after the War and receive the proceeds.

- been released from the 1941 Freeze in two separate payments of approximately US \$18,000.00 and US \$2,000.00, minus fees charged by the Bank during the 1941 Freeze, and claiming additional compensation for these fees; and
- (8) an undated envelope addressed to *Madame Philippe Franz Dan* at *Pension Palace*, Neumühlequai 6 in Zurich.

The Claimant indicated that he was born on 10 October 1924 in Budapest.

Information Available in the Bank's Records

The CRT notes that the auditors who carried out the investigation of this bank to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons ("ICEP" or the "ICEP Investigation") did not report an account belonging to Philippe Franz Dan or Elisabeth Dan during their investigation of the Bank. Pursuant to Article 6 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"), the CRT requested the voluntary assistance of the Bank to obtain information about the Account Owners ("Voluntary Assistance"). The Bank provided the CRT with numerous documents, including extracts of account ledgers, lists of opened and closed numbered accounts, customer cards, a contract to open a safe deposit box, a power of attorney form, and lists of accounts at the Bank's New York branch which were frozen in the 1941 Freeze. These records indicate a total of thirteen accounts held at various times by the Account Owners at branches of the Bank in the German- and French-speaking regions of Switzerland and in New York.

The Bank's records indicate that the Account Owners were the married couple Philippe Francois (Francz, Franz) Dan and Elisabeth Dan, née Fodor (*Madame Philippe Dan*), of Budapest, Hungary. These records additionally indicate that Account Owner Elisabeth Dan resided at Neumühlequai 6 in Zurich as of 17 April 1940.

Custody Account and Demand Deposit Account 66429

According to the Bank's records, Account Owner Philippe Dan opened a custody account and a demand deposit account, both numbered 66429, at a branch of the Bank in the German-speaking region of Switzerland on 12 September 1938. According to these records, demand deposit account 66429 was closed on 6 February 1940 and custody account 66429 was closed on 31 August 1948, when its contents were transferred to another custody account, numbered 67833, which was owned by Account Owner Elisabeth Dan and is further described below.

Custody Account and Demand Deposit Accounts 80.186

The Bank's records indicate that Account Owner Philippe Dan opened a custody account and three demand deposit accounts, held under the number 80.186, at a branch of the Bank in the French-speaking region of Switzerland, over which Account Owner Elisabeth Dan held power of attorney, on 16 or 18 December 1938. A notation in the Bank's records indicates that Account Owner Philippe Dan was referred to this branch of the Bank by Mr. H. Leuthold, who was an official of the Bank's Zurich branch. The Bank was instructed to hold all correspondence,

according to these records. The demand deposit accounts, which were originally denominated in Swiss Francs, US Dollars, and Pounds Sterling, were consolidated into a single US Dollar demand deposit account on 8 February 1940, according to the Bank's records. The Bank was instructed on 30 April 1940 that any remittances to the US Dollar demand deposit account should be sent to the Bank's New York branch for the account of Account Owner Elisabeth Dan, provided that the amount in the US Dollar account in Switzerland did not fall below US \$2,000.00. The Bank's records further indicate the custody account and the US Dollar demand deposit account held under the designation 80.186 were closed on 25 April 1949, when the balance in US Dollars was transferred to New York.

Safe Deposit Box 317

The Bank's records further indicate that Account Owner Elisabeth Dan rented a safe deposit box, numbered 317, over which Account Owner Philippe Dan held power of attorney, on 7 February 1940, at the same branch of the Bank as the accounts numbered 80.186. These records additionally indicate that power of attorney over safe deposit box 317 was granted to Dr. [REDACTED], an attorney in Zurich, on 2 May 1940. According to the Bank's records, safe deposit box 317 was closed on 30 May 1947.

Safe Deposit Box 916

According to the Bank's records, Account Owner Elisabeth Dan rented a safe deposit box, numbered 916, at the Bank's Zurich branch on 17 April 1940, at which time she indicated that she resided at Neumühlequai 6 in Zurich. These records indicate that Account Owner Elisabeth Dan granted power of attorney over safe deposit box 916 to Account Owner Philippe Dan. The power of attorney form, signed by Account Owner Elisabeth Dan on 17 April 1940, is not signed by Philippe Dan; however the form indicates that Philippe Dan was known to an authorized representative (*Prokurist*) named Mr. Griesser ("*von Herrn Griesser bekannt!*"). According to the Bank's records, safe deposit box 916 was closed on 30 April 1940.

Demand Deposit Accounts 20613 and 20238

The Bank's records indicate that Account Owner Elisabeth Dan held two demand deposit accounts at the New York branch of the Bank, numbered 20613 and 20238, which were frozen in the 1941 Freeze. The Bank's records do not indicate the opening dates of these accounts. According to these records, the New York branch of the Bank recorded Account Owner Elisabeth Dan's residence as Budapest but recorded her nationality as French. The Bank's records also contain a printout from a list generated by the US Treasury Department, indicating that assets belonging to Account Owner Elisabeth Dan totaling US \$26,785.25 were frozen in the 1941 Freeze. The Bank's records indicate that account 20613 was closed on 19 April 1949. With respect to account 20238, it appears on a list of closed accounts; however, rather than a closure date for account 20238, the handwritten notation "not used" appears on this document beside the entry for the account.

Safe Deposit Box 1235

The Bank's records indicate that Account Owner Elisabeth Dan of Zurich rented a safe deposit box, numbered 1235 at a branch of the Bank in the German-speaking region of Switzerland on 31 May 1947. The Bank's records indicate that *Frau* (Mrs.) Dr. Bela Fekete, née Eva Dan, of Budapest (born on 19 June 1923) and *Herr* (Mr.) Franc Dan of Budapest (born on 10 October 1924) held power of attorney over safe deposit box 1235. Additionally, the Bank's records indicate that safe deposit box 1235 was rented through Mr. Griesser (the authorized representative mentioned above), and that two keys to the safe deposit box were kept in the safes department of the Bank as of 21 or 31 July 1947. The Bank's records indicate that, according to Mr. Griesser's oral instructions on 6 July 1948, rental fees for the safe deposit box were to be debited from an unspecified demand deposit account. Finally, the Bank's records indicate that Account Owner Elisabeth Dan took possession of the safe deposit box keys on 20 August 1948 and that she closed the safe deposit box in person on 6 September 1948, at which time she signed the safe deposit box account card.

Custody Account and Demand Deposit Account 67833

The Bank's records indicate that Account Owner Elisabeth Dan held a custody account and a demand deposit account, both numbered 67833, at a branch of the Bank in the German-speaking region of Switzerland, which were opened 3 July 1947. As indicated above, the balance of Account Owner Philippe Dan's demand deposit account numbered 66429 was transferred to demand deposit account 67833 on 31 August 1948. These records further indicate that demand deposit account 67833 was closed on 12 January 1949, that an unspecified sum was credited to custody account 66429 on 8 February 1949 from the Bank's New York branch ("*V'gütung v. Agency*"), and that custody account 66429 was closed on 31 October 1964.

The CRT's Analysis

Identification of the Account Owners

The Claimant has plausibly identified the Account Owners. The Claimant's parents' names, nationalities, street address, and cities and countries of residence match the unpublished names, nationalities, street address, and cities and countries of residence of the Account Owners. The Claimant also identified several persons whose names appear in the Bank's records, including Dr. [REDACTED], Mr. Leuthold, and Mrs. Bela Fekete. Additionally, the CRT notes that the Claimant himself, identified by name, residence, and birthdate in the Bank's records, held power of attorney over Account Owner Elisabeth Dan's safe deposit box number 1235.

In support of his claim, the Claimant submitted numerous documents, including letters from the Hungarian and Italian Chamber of Commerce and the Swiss Federal Foreign Police to Dr. [REDACTED] in Zurich, a letter from Dr. [REDACTED] to the Belgian Interior Ministry, a telegram pertaining to funds sent to the Claimant from Switzerland, and the Claimant's expired Hungarian passport, all indicating the Claimant's name and nationality; a letter from the Claimant to the US Department of Justice, indicating the names of the Account Owners; and an

undated envelope addressed to *Madame* Philippe Franz Dan, indicating Account Owner Elisabeth Dan's address in Zurich. These documents provide independent verification that the people who are claimed to be the Account Owners had the same names as the Account Owners and that one of the power of attorney holders for Account Owner Elisabeth Dan's safe deposit box number 1235 had the same name, residence, and birthdate as the Claimant.

The CRT additionally notes that, according to the Bank's records, the Bank was instructed on 30 April 1940 that all remittances for demand deposit account 10.186 should be sent to the Bank's New York branch for the account of Account Owner Elisabeth Dan, provided that the amount in the US Dollar account in Switzerland did not fall below US \$2,000.00. These instructions are consistent with the Claimant's statement that Account Owner Elisabeth Dan converted her assets to US Dollars and transferred them to the US around the time of the Nazi invasion of France, which took place on 10 May 1940.

Finally, the CRT notes that there are no other claims to these accounts.

Status of the Account Owners as Victims of Nazi Persecution

The Claimant has made a plausible showing that the Account Owners were Victims of Nazi Persecution. The Claimant stated that Account Owner Philippe Dan was of Jewish origin, that he resided in Hungary during the Second World War, that he was arrested by the Gestapo, that his business was expropriated by the Nazis, and that he fled to Romania. The Claimant also stated that Account Owner Elisabeth Dan was persecuted because of her husband's Jewish heritage and that she also fled to Romania.

The Claimant's Relationship to the Account Owners

The Claimant has plausibly demonstrated that he is related to the Account Owners by submitting specific information and documents demonstrating that the Account Owners were the Claimant's parents. These documents include letters from the Hungarian and Italian Chamber of Commerce and the Swiss Federal Foreign Police to Dr. [REDACTED], a letter from Dr. [REDACTED] to the Belgian Interior Ministry, and the Claimant's expired Hungarian passport, providing independent verification that the Claimant had the same surname and nationality as the Account Owners; and a letter from the Claimant to the US Department of Justice, indicating that his parents had the same names as the Account Owners.

Finally, as noted above, the Claimant, who identified extensive unpublished information about the Account Owners and their accounts, appears as power of attorney holder over one of Account Owner Elisabeth Dan's accounts.

The Issue of Who Received the Proceeds

Accounts Closed Before the Formal Alliance of Hungary and Germany

Two of the Account Owners' accounts were closed in early 1940, namely demand deposit account 66429, which was closed on 6 February 1940, and safe deposit box 916, which was

closed on 30 April 1940. Because these two accounts were closed before Hungary officially allied itself with Nazi Germany on 20 November 1941, the CRT determines that the Account Owners had free access to these accounts on their dates of closure and that they closed the accounts themselves and received the proceeds.

Accounts Opened Before or During the Second World War and Closed After the War

As for the remaining accounts that were opened before or during the Second World War, namely custody account 66429, the custody and demand deposit accounts numbered 80186, safe deposit box 317, and accounts 20613 and 20238 held at the New York branch, the CRT notes that these accounts were closed after the War.

With respect to custody account 66429, owned by Account Owner Philippe Dan, who died in March 1948, the records show that this account was transferred on 31 August 1948 to another custody account, numbered 67833, which had been opened by his wife, Account Owner Elisabeth Dan, in 1947. The CRT further notes that, according to the Claimant's submissions and the Bank records, Account Owner Elisabeth Dan was in Switzerland on the date of this transfer.⁵ For these reasons, the CRT determines that Account Owner Elisabeth Dan received the proceeds of custody account 66429.

With respect to the custody account and US Dollar demand deposit account numbered 80.186, owned by Account Owner Philippe Dan, over which Account Owner Elisabeth Dan held power of attorney, the balance of these accounts was transferred to the Bank's New York branch on 25 April 1949, approximately one year after the death of Account Owner Philippe Dan. The CRT concludes that this transfer was initiated by Account Owner Elisabeth Dan, and that she received the proceeds of these accounts. This conclusion is supported by the facts contained in the letter submitted by the Claimant dated 19 April 1941 (detailed above), from the Claimant to the US Department of Justice. According to this letter, Account Owner Elisabeth Dan's accounts in the US had already been unblocked from the 1941 Freeze by the date of the letter, which is six days prior to the transfer of the assets to the New York branch from accounts numbered 80.186. Accordingly, there is no evidence to suggest that Account Owner Elisabeth Dan was not able to access the proceeds of the accounts numbered 80.186 after they were transferred to the New York branch on 25 April 1949.

With respect to safe deposit box 317, which was located at a branch of the Bank in the French-speaking region of Switzerland and owned by Account Owner Elisabeth Dan, it was closed on 30 May 1947. The next day, 31 May 1947, Account Owner Elisabeth Dan, whose residence was listed as Zurich, rented another safe deposit box, numbered 1235, through an authorized representative at a branch of the Bank in the German-speaking region of Switzerland. According to the Claimant, Account Owner Elisabeth Dan took up temporary residence in Zurich on 27 May 1948. Therefore, given that Account Owner Elisabeth Dan was in Switzerland when safe deposit box 317 was closed, and that she opened another safe deposit box at the Bank the day

⁵ The Claimant indicated that his mother was in Tarasp-Vulpera, Switzerland, on 21 August 1948 when the telegram described above was sent from Tarasp-Vulpera to Belgium. Additionally, the Bank's records for safe deposit box 1235 show that Account Owner Elisabeth Dan took possession of the safe deposit box keys at the Bank on 20 August 1948, and that she closed safe deposit box 1235 in person on 6 September 1948.

after its closure, the CRT determines that Account Owner Elisabeth Dan closed safe deposit box 317 herself and received the proceeds.

As for accounts 20613 and 20238, held at the New York branch of the Bank and owned by Account Owner Elisabeth Dan, the Bank's records indicate that one or more of these accounts was frozen in the 1941 Freeze. The Bank's records further indicate that account 20613 was closed on 19 April 1949, and that account 20238 was "not used." The CRT notes that the Claimant indicated that Account Owner Elisabeth Dan received the proceeds of all of her assets held at the New York branch of the Bank, and that he stated specifically that he was not claiming them. Additionally, according to the Claimant's letter of 19 April 1949 to the US Department of Justice, Account Owner Elisabeth Dan's assets at the Bank in New York were released in two separate payments of approximately US \$18,000.00 and US \$2,000.00, minus fees charged by the Bank during the 1941 Freeze. Accordingly, the CRT determines that Account Owner Elisabeth Dan received the proceeds of account 20613. With respect to account 20238, the CRT concludes that Account Owner Elisabeth Dan received the proceeds of this account as well, given the Claimant's statement that Account Owner Elisabeth Dan received all of her assets from the Bank in New York and the fact that the funds released from the 1941 Freeze were disbursed in two separate payments, which is consistent with payments being made from two separate accounts (that is, from accounts 20613 and 20238).

Accounts Opened After the Second World War

The CRT has jurisdiction to resolve claims to accounts of Victims of Nazi Persecution open or opened in Swiss banks during the Relevant Period, which is defined by the Rules as the period from 1933 to 1945. Accordingly, the CRT has no jurisdiction to determine the ultimate disposition of the remaining three accounts, namely safe deposit box 1235, which was opened on 31 May 1947, and the custody account and demand deposit account numbered 67833, which were opened on 3 July 1947. The CRT does note, however, that Account Owner Elisabeth Dan closed safe deposit box 1235 in person on 6 September 1948. As for the custody and demand deposit accounts numbered 67833, these were closed in January 1949 and October 1964, respectively. There is no evidence in any of the documents that these accounts were not closed to their rightful owner.

Accordingly, the CRT concludes that the Account Owners or their heirs received the proceeds of all their accounts, and no award is appropriate.

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: 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.

Certification of the Denial

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal
24 March 2011