

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant Liesel Wolf

**in re Accounts of A. Hermann David<sup>1</sup>**

Claim Number: 207294/SB<sup>2</sup>

This Certified Denial is based on the claim of Liesel Wolf, née David, (the “Claimant”) to the account of Adolf David. The CRT did not locate an account belonging to Adolf David 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 accounts of A. Hermann David (the “Account Owner”) at the [REDACTED] (the “Bank”).

All denials are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

### **Information Provided by the Claimant**

The Claimant submitted a Claim Form and Initial Questionnaire asserting that her father, Adolf David, who was born on 10 March 1879 in Meisenheim-am-Glan, Germany, and was married to Bertha Mayer in 1919, owned a Swiss bank account. The Claimant stated that her father, who was Jewish, resided in Mannheim, Germany. The Claimant further stated that her father’s business was aryanized in 1937, and that his money and life insurance were confiscated in 1939. The Claimant further stated that her father was deported to Dachau concentration camp, where he was murdered by the Nazis on 9 December 1939. The Claimant indicated that she was born on 16 December 1919 in Bad Kreuznach, Germany.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Adolf David.

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<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’ names are substantially similar to that of the Claimant’s relative, even if the Claimant did not specifically claim that particular account.

<sup>2</sup> The Claimant submitted an Initial Questionnaire with 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 207294.

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

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Adolf David. The auditors who carried out the ICEP Investigation reported two accounts whose owner's name is substantially similar to 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 5024461, 5029303

The Bank's records indicate that the Account Owner was A. Hermann David, who resided in Vienna, Austria, and that the Power of Attorney Holder was Bruno David. The Bank's records also indicate the Account Owner's street address and the Power of Attorney Holder's city and country of residence, as well as his street address. Finally, the Bank's records contain the Account Owner's and the Power of Attorney Holder's 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 her relative. Although the name of her father is substantially similar to the published name of the Account Owner, the information provided by the Claimant differs from the published information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her father resided in Mannheim, Germany. In contrast, the Bank's records show that the Account Owner resided in Vienna, Austria. In addition, the Account Owner used the middle name "Hermann" which was not identified by the Claimant. Furthermore, the Claimant did not identify the Power of Attorney Holder although he bears the same family name as the Account Owner. 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 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 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  
30 September 2004