

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED 1]
also acting on behalf of [REDACTED 2]

in re Account of Lotte Dobrin

Claim Number: 212061/MBC

This Certified Denial is based on the claim of [REDACTED 1] (the “Claimant”) to the account of Lotte (Lopa) Henriette Pagel, née Dobrin. The CRT did not locate an account belonging to Lopa Pagel, Lopa Dobrin, Henriette Pagel, or Henriette Dobrin 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 Lotte Dobrin (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 maternal grandmother, Lotte (Lopa) Henriette Pagel, née Dobrin, who was born on 31 May 1891 in Stettin, Germany, and was married to [REDACTED] in 1911 in Germany, owned a Swiss bank account. The Claimant indicated that his grandmother was a writer and housewife, and that prior to 1938 she resided in Morin, Germany. The Claimant further stated that in 1938, his grandmother, who was Jewish, fled Germany with her husband to the United Kingdom, where she died on 4 December 1967. The Claimant indicated that he was born on 27 October 1936 in Rome, Italy.

The Claimant submitted documents in support of his application, including: (1) Lotte Pagel’s death certificate; and (2) the Claimant’s mother’s birth and marriage certificates, indicating that her mother was Lotte Henriette Pagel, née Dobrin, and that in 1914 her mother resided in Stettin and in 1936 in Morin.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Lotte (Lopa) Henriette Pagel, née Dobrin. 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 5029207

The Bank's records indicate that the Account Owner was Lotte Dobrin, who resided in Berlin, Germany, and that the Power of Attorney Holder was Moritz Dobrin. The Bank's records also indicate the Account Owner's street address, the name and address of her husband and the Account Owner's relationship to the Power of Attorney Holder. Furthermore, the Bank's records indicate the date of closing of the account at issue. Finally, the Bank's records contain the Account Owner's and 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 his relative. Although the name of his grandmother 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 grandmother was married to [REDACTED]. In contrast, the Bank's records show that the Account Owner was married to a different person. In addition, the Claimant failed to identify Power of Attorney Holder Moritz Dobrin or the Account Owner's relationship to him. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandmother are the same person. Moreover, it should be noted that the CRT has awarded the account to another claimant, who plausibly identified the Account Owner as his relative. All decisions are published upon release on the CRT's website at www.crt-ii.org.

Right of Appeal

Pursuant to Article 30 of the Rules, the Claimant/s 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 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
15 July 2005