

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Josef Dreifuss

Claim Number: 216649/SB¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published account of Josef Dreifuss (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 great-uncle, Josef Dreifuss, who was born on 31 May 1884 in Nonnenweier, Germany, owned a Swiss bank account. The Claimant stated this great-uncle, who was Jewish, resided in Freiburg, Germany, where he was partial owner of a brewery. The Claimant further stated that his great-uncle fled Germany in 1939 to Switzerland, where he continued to reside until his death in the 1960s. The Claimant indicated that he was born on 5 January 1947 in New York, New York, the United States.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Josef Dreifuss. 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 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.

¹ The Claimant submitted seven additional claims, which are registered under the Claim Numbers 216646, 216647, 216648, 500910, 500911, 500912 and 500913. In a separate decision, the CRT awarded the accounts of Julius Greilsheimer and Elsa Greilsheimer to the Claimant. See *In re Accounts of Julius Greilsheimer and Elsa Greilsheimer* (approved on 25 October 2002). The CRT will treat the remaining claims in separate determinations.

Account 1000109

The Bank's records indicate that the Account Owner was Josef Dreifuss, who resided in Germany. The Bank's records also indicate the Account Owner's city of residence and the dates of opening and closing 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 Governing the Claims Resolution Process, as amended (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 great-uncle 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 great-uncle resided in Freiburg, Germany. In contrast, the Bank's records show that the Account Owner resided in another city which is over 250 kilometers from Freiburg. The CRT notes that Freiburg and the Account Owner's city of residence are German cities of relatively similar size, rendering it unlikely that a resident of one of these cities would indicate as his or her city of residence the other city, including for purposes of maintaining a bank account. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's great-uncle 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 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
2 June 2006