

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]
represented by von Trott zu Solz Lammek Law Offices

in re Account of J. Ehrlich

Claim Number: 401972/SB¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published account of J. Ehrlich (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 in 2005 asserting that her mother, Lilly Ehrlich,² who was born on 11 December 1892 in Bamberg, Germany, and was married [REDACTED] on 16 April 1913, owned a Swiss bank account. The Claimant indicated that her mother, who was Jewish, resided in Germany and died on 14 November 1975. The Claimant indicated that she was born on 9 August 1921.

Information Available in the Bank’s Records

The CRT notes that the Claimant claimed the published account of J. Ehrlich. 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 as claimed 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 one additional claim, which is registered under the Claim Number 401967. The CRT will treat this claim in a separate determination.

² The CRT did not locate an account belonging to Lilly Ehrlich 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”).

Account 5026597

The Bank's records indicate that the Account Owner was J. Ehrlich. The Bank's records also indicate the Account Owner's street address, city and country of residence, together with the name of his wife, who was also a joint account owner. 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 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 her relative. The information provided by the Claimant regarding her mother, differs materially from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant claimed an account belonging to her mother. In contrast, the Bank's records show that the Account Owner was male. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's mother are the same person.

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: Oren Wiener, 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.

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
23 March 2007