

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Karl Ehrlich

Claim Numbers: 601264/LV;¹ 400636/LV²

This Certified Denial is based on the claims of [REDACTED] (the “Claimant”) to the account of Karel (Karl, Carl) Ehrlich. This Denial is to the published account of Karl Ehrlich (the “Account Owner”) at the [REDACTED] (the “Bank”).^{3,4}

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 to the Holocaust Claims Processing Office (“HCPO”) and a Claim Form to the CRT asserting that his maternal uncle, *JUDr.* (Doctor of Law) Karel (Karl, Carl) Ehrlich, who was born on 24 August 1899 in Dolanky, Austria-Hungary (now Czech Republic) and was married to [REDACTED], née [REDACTED], owned a Swiss bank account. The Claimant stated that his uncle, who was Jewish, was a well-known lawyer in Prague, Czechoslovakia (now Czech Republic), where he resided from approximately 1917 until 1941. The Claimant further stated that in October 1941, his uncle and his uncle’s wife and daughter were deported to the ghetto in Lodz, Poland, and that all three perished in approximately 1942. The Claimant explained that his only surviving uncle, [REDACTED], told the Claimant that

¹ The Claimant submitted a claim, numbered B-00089, on 24 September 1997, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 601264.

² The Claimant submitted an additional claim to the account of Otto Kohn, which appears on the List of Account Owners Published in 2005, which is registered under the Claim Number 400637. The CRT will treat the claim to this account in a separate determination.

³ The CRT did not locate an account belonging to Karel 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”).

⁴ In this claim, the Claimant also claimed the accounts of Arnold Kohn, *Arnold Kohn Wholesale Leather Company, Bata, Ltd.*, and Zukriegel. The CRT will treat the claim to these accounts in separate determinations.

Karel Ehrlich had a numbered bank account in a Swiss bank. The Claimant indicated that he was born on 21 March 1928 in Prague.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by Arnold Kohn.⁵

The Claimant submitted documents in support of his application, including: (1) his uncle's birth certificate, indicating that Karel Ehrlich was born on 24 August 1899 in Dolanky, and that his parents were [REDACTED] and [REDACTED]; (2) his uncle's passport and identification card, indicating that Karel Ehrlich was an attorney, that he was born in Dolanky and resided in Prague, and that he was married to [REDACTED]; and (3) his mother's birth certificate, which identifies [REDACTED]'s parents as [REDACTED] and [REDACTED] and indicates that she was born in Roudnice, Austria-Hungary.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Karel 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 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 1009128

The Bank's records indicate that the Account Owner was Karl Ehrlich. The Bank's records also indicate the Account Owner's city of residence, country of residence and profession. Furthermore, the Bank's records indicate 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 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

⁵ As noted above, the CRT will treat the claim to this account in a separate determination.

uncle was a lawyer and that he resided in Prague, Czechoslovakia. In contrast, the Bank's records show that the Account Owner resided in a different country and practiced a different profession. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's 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
31 October 2005