

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]
represented by Stephen Harnik

in re Account of Robert Feigl

Claim Number: 501553/SB¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published account of Robert Feigl (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 great-uncle, Dr. Robert Feigl, who was born on 25 November 1886 in Vienna, Austria, and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that his great-uncle, who was Jewish, was a lawyer and that he resided in Vienna. The Claimant did not provide any information as to his great-uncle’s fate. The Claimant indicated that he was born on 23 February 1938 in Vienna.

The Claimant submitted documents in support of his claim, including a copy of a declaration submitted by his great-uncle pursuant to the decree of 26 April 1938 requiring all Jews who resided within the Reich, including Austria, and who held assets above a specified level to register all their assets as of 27 April 1938 (the “1938 Census”). This record, numbered 11583, indicates, *inter alia*, Robert Feigl’s date of birth, street address in Vienna, title and the name of his spouse. This record does not refer to any assets held in a Swiss bank account.

Information Available in the Bank’s Records

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

¹ The Claimant submitted two additional claims, which are registered under the Claim Numbers 401010 and 501470. The CRT will treat these claims in separate determinations.

(“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 5026198

The Bank’s records indicate that the Account Owner was Robert Feigl, who resided in Genoa, Italy. The Bank’s records also indicate the Account Owner’s street address in Genoa and the date of opening 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 published information about the Account Owner available in the Bank’s records. Specifically, the Claimant stated that his great-uncle resided in Vienna, Austria. In contrast, the Bank’s records show that the Account Owner resided in Genoa, Italy. In addition, the CRT notes that the Bank’s records do not indicate that the Account Owner had a Dr. title. 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
7 June 2006