

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of J. Feldmann

Claim Number: 212909/SB¹

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the accounts of Dawid Feldman and Josef Feldman. The CRT did not locate an account belonging to Dawid Feldman or Josef Feldman 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 J. Feldmann (the “Account Owner”) at the [REDACTED] (“the “Bank”).

All denials are published, but where a claimant has requested confidentiality, as in this case, the name 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 her husband, Josef Feldman, who was born in 1921 in Otwock, Poland, owned a Swiss bank account. The Claimant stated that her husband’s father, [REDACTED], who was a wealthy man, owned a lumberyard, a lumber processing plant, and property in Otwock, where the family resided. The Claimant further stated that her father-in-law, who was Jewish, had international business contacts and that he owned property outside of Poland, which he purchased in 1929 through a Swiss bank. The Claimant indicated that the account may have been opened in her husband’s name. The Claimant further indicated that, in 1941, her husband’s family, was deported to the Ghetto in Warsaw, and later to the Treblinka concentration camp, where the entire family, but for the Claimant’s husband, perished. The Claimant further indicated that her husband escaped to Leningrad (then in the Soviet Union), and later served with the Polish and British armies before emigrating to the United States, where he passed away on 27 December 1989. The Claimant indicated that she was born on 5 April 1928 in Tel Aviv, Palestine.

¹ The Claimant submitted an Initial Questionnaire with the Court in 1999 and a Claim Form to the CRT. The CRT is treating the Initial Questionnaire and the Claim Form under the consolidated Claim Number 212909.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Josef Feldman.

The Claimant submitted documents in support of her application, including a family photograph.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Josef Feldman. The auditors who carried out the ICEP Investigation reported one account whose owner's name was substantially similar to that provided by the Claimant. The account is identified below by its Account Identification Number.

Account 2016288

The Bank's records indicate that the Account Owner was J. Feldmann, who resided in Bandöng (Bandung), Indonesia.

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 her relative. Although the name of her husband is substantially similar to the published name of the Account Owner, the information provided by the Claimant differs materially from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her husband resided in Poland, prior to the Second World War. In contrast, the Bank's records show that the Account Owner resided in Bandung, Indonesia. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's husband 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 the Special Master, c/o Claims Resolution Tribunal, P.O. Box 9564, 8036 Zurich, Switzerland.

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 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
19 November 2004