

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Haim Aklepi

in re Account of Mihail Fiera¹

Claim Number: 208945/SB

This Certified Denial is based on the claim of Haim Aklepi (the “Claimant”) to an account of Michal (Michai, Michael, Mikhail) Fire (Fayr, Faer, Faiger, Fier, Fyer, Fayer). The CRT did not locate an account belonging to Michal (Michai, Michael, Mikhail) Fire (Fayr, Faer, Faiger, Fier, Fyer, Fayer) 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 Mihail Fiera (the “Account Owner”) at the [REDACTED] (the “Bank”).

All denials are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form asserting that his maternal uncle, Michal Fire, who was born on 28 August 1895 in Dragushen, Romania, and was married to Manya Fire, née Reizelman in 1924 in Kalarash, Romania (now Moldova), owned a Swiss bank account. The Claimant stated that his uncle, who was Jewish, resided in Kalarash, where he worked as an exporter of agricultural produce in a company named *Portak*. According to the Claimant his uncle fled Kalarash in 1940 for the Soviet Union, where he remained until after the end of the Second World War. The Claimant further stated that his uncle died on 16 November 1979 in Kishinev, Moldova. The Claimant stated that he was born on 10 July 1931 in the Ukraine.

The Claimant submitted documents in support of his application, including: (1) his uncle’s birth certificate; (2) his uncle’s death certificate.

¹ In an effort to locate any and all accounts that might have belonged to the Claimant’s relative, the CRT has reviewed and analyzed all accounts whose owners’ names are substantially similar to that of the Claimant’s relative, even if the Claimant did not specifically claim that particular account. Moreover, the CRT recognizes that, in many cases, spellings of names have changed due to the passage of time in the decades since the Second World War, as well as due to the transcription of names into different languages.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Michal Fire. The auditors who carried out the ICEP Investigation reported one account whose owner's name is substantially similar to 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 5035023

The Bank's records indicate that the Account Owner was Mihail Fiera, who resided in Bucharest, Romania. The Bank's records also indicate the initial of the Account Owner's other first name and his profession.

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 his relative. Although the name of his uncle 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 his uncle resided in Kalarash, Romania and was an exporter of agricultural produce. In contrast, the Bank's records show that the Account Owner resided in Bucharest, Romania, which is over 350 kilometers from Kalarash, and had a different profession than the Claimant's uncle. In addition, the CRT notes that the Claimant did not identify the initial of the Account Owner's other first name. 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 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 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
21 September 2005