

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Fania Baram

in re Account of Fajga Finkelstein

Claim Number: 001836/AV¹

This Certified Denial is based on the claim of Fania Baram, née Finkelstein, (the “Claimant”) to the published account of Fajga Finkelstein (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 she, Fania (Fajga) Baram, née Finkelstein, owned a Swiss bank account. The Claimant, who is Jewish, stated that she resided in Warsaw, Poland, where her father owned an apartment and a plot of land. The Claimant stated that in 1915, she moved with her parents to Moscow, Russia. According to the Claimant, she resided in Moscow during the Second World War. The Claimant indicated that she was born on 27 December 1914 in Warsaw.

The claimant submitted documents in support of her claim, including her visa to Israel in 1971, which indicates that her name is Fania Yudevna Finkelstein.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to herself, Fania (Fajga) Baram, née Finkelstein. 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.

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 001836.

Account 4020332

The Bank's records indicate that the Account Owner was Fajga Finkelstein, who resided in Poland. The Bank's records also indicate the Account Owner's city of residence and the first two letters of her middle name. 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

For the purposes of this Denial, 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 herself. Although her name matches the published name of the Account Owner, the information provided by the Claimant differs from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that she resided in Warsaw, Poland before moving to Moscow, Russia in 1915. In contrast, the Bank's records show that the Account Owner resided in a different, major Polish city, which is located more than 250 kilometers from Warsaw, and to which the Claimant had no connection. Moreover, the Claimant indicated that her middle name was Yudevna, whereas the Bank's records indicate that the Account Owner had a different middle name. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant are the same person. Moreover, it should be noted that the CRT has awarded the account to another claimant, who plausibly identified the Account Owner as his relative. All decisions are published upon release on the CRT's website at www.crt-ii.org.

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 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 January 2006