

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Miriam Marion Ruth Habibi

Claimed Account Owner: Heinz Fischel¹

Claim Number: 003698/GO

This Certified Denial is to the claim of Miriam Marion Ruth Habibi (the “Claimant”) to a Swiss bank account potentially owned by the Claimant’s relative, Heinz (Sigbert) Fischel (Aronson, Aronsohn) (the “Claimed Account Owner”).

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 stating that Heinz Fischel, who was Jewish, was born in 1922 to Julius Fischel and Kate Fischel, née Aronsohn. The Claimant also submitted documents showing that Kate Fischel’s family only used the spelling *Aronsohn* for the family’s name. The Claimant did not provide any documentation indicating that Heinz Fischel used his mother’s maiden name as his own name.

The CRT’s Investigation

The CRT matched the name of Heinz (Sigbert) Fischel (Aronson, Aronsohn) to the names of all account owners in the Account History Database and identified accounts belonging to individuals whose names match, or are substantially similar to, the name of the Claimed Account Owner. In doing so, the CRT used advanced name matching systems and computer programs, and considered variations of names, including name variations provided by Yad Vashem, The Holocaust Martyrs’ and Heroes’ Remembrance Authority, in Jerusalem, Israel, to ensure that all possible name matches were identified. However, a close review of the relevant bank records indicated that the information contained therein was inconsistent with the information the Claimant provided regarding the Claimed Account Owner. Accordingly, the CRT was unable to conclude that any of these accounts belonged to the Claimed Account Owner.

¹ The Claimant should note that this determination relates only to the Claim Number and Claimed Account Owner stated above, and that the CRT is aware that the Claimant may have submitted other claims.

The CRT's Analysis

Identification of the Account Owner

The list below contains names of account owners that match the name of the Claimed Account Owner and the reasons why the CRT has concluded that the Claimed Account Owner and an account owner are not the same person. If an account owner's place of residence was published, that place of residence is also listed.

Name: Heinz Aronson (Berlin, Germany)

Account Identification Number: 5029270

Specifically, the Claimant stated that her relative, Heinz Fischel, was born in 1922 and that his mother's maiden name was Aronsohn. The Claimant provided documents showing Heinz Fischel's mother's maiden name spelled as Aronsohn. The Claimant did not provide any documentation indicating that Heinz Fischel used his mother's maiden name as his own. In contrast, the records show that the account owner opened the account at a time when the Claimant's relative was still a child. Furthermore, these records do not indicate that the account was opened on behalf of a minor or under a false or alias name, or that that Aronson was not the account owner's real last name. The Claimant also did not identify the power of attorney holder, who was closely related to the account owner.

The Claimant should note that all accounts awarded by the CRT are published upon release on the CRT's website at www.crt-ii.org.

Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"), the Claimant may appeal this decision or submit a request for reconsideration within ninety (90) days of the date of the letter accompanying this decision.

An appeal must be based upon a plausible suggestion of error regarding the CRT's conclusions set out in this decision. Any appeals which are submitted without a plausible suggestion of error shall be summarily denied. A request for reconsideration must be based on new documentary evidence not previously presented to the CRT that, if considered, would have led to a different outcome of the claim. Claimants should briefly explain the relevance of the newly submitted documents in view of the conclusions stated in the certified decision.

The Claimant should send appeals and/or requests for reconsideration in writing to the following address: Oren Wiener, Claims Resolution Tribunal, Attention: Appeals / Request for Reconsideration, P.O. Box 9564, 8036 Zurich, Switzerland. If more than one account has been treated in this decision, the Claimant should identify the account, including, where available, the Account Identification Number, that forms the basis of the appeal and/or request for reconsideration.

Scope of the Denial

The CRT now considers the Claimant's claim to the accounts of Heinz Fischel closed. Please note that this decision applies only to the Claim Number and Claimed Account Owner identified herein, and that the CRT is aware that the Claimant may have claimed accounts held by other persons or entities both in the Claim Number specified above and in other claims submitted to the CRT.

Certification of the Denial

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal
12 February 2010