

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Heinz Koch

Claimed Account Owners: Lina Fischer and Frieda Fischer¹

Claim Number: 224028/RT

This determination is based on the claim of Heinz Koch (the “Claimant”) to a Swiss bank account potentially owned by Lina Fischer and Frieda Fisher. The CRT did not locate an account belonging to Lina Fischer 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 Certified Denial is to a Swiss bank account under the name of the Claimant’s relative, Frieda Fischer (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 his relative Frieda Fischer, née Jeremias, was the caregiver of her sister Lina Jeremias, who was mentally handicapped and lived with her in Stuttgart-Dergerloch until she was institutionalized in a psychiatric hospital in Winnenden close to Stuttgart in the early 1930s. The Claimant further stated that Frieda Fischer might have opened an account in a Swiss bank on behalf of her sister, Lina Jeremias, under her own name. According to the Claimant, Lina Jeremias was persecuted by the Nazis and died on 25 June 1940 while she was institutionalized. The Claimant finally stated that at the end of the Second World War Frieda Fischer resided in Wiesensteig, Germany.

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

The CRT's Investigation

The CRT matched the name of Frieda Fischer 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.

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: Frieda Fischer (Jestetten, Germany)

Account Identification Number: 5023635

Specifically, the Claimant stated that his relative, Frieda Fischer, opened a bank account on behalf of her sister, Lina Jeremias. The Claimant also stated that Frieda Fischer resided in Stuttgart and, at the end of the War, in Wiesensteig. In contrast, the records do not indicate that the account at issue was opened on behalf of another person. Moreover, the records show that the account owner had a permanent residence in Jestetten, to which the Claimant did not establish a connection, and which is over 200 kilometers from Stuttgart and Wiesensteig. The CRT notes that there Stuttgart is much larger than Jestetten, and that there are other large cities closer to Jestetten than Stuttgart, and that it is therefore unlikely that the claimant's relative would identify Jestetten as her place of residence, even for the purposes of maintaining a Swiss bank account.

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, 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 Lina Fischer and Frieda Fischer closed. Please note that this decision applies only to the Claim Number and Claimed Account Owners 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
24 April 2007