

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Max Fleischmann

Claimed Account Owners: Sigmund Fleischmann and Berta Fleischmann¹

Claim Numbers: 400181/SB; 400184/SB

This Certified Denial is to the claims of Max Fleischmann (the “Claimant”) to Swiss bank accounts published on the list of account owners in 2005 and potentially owned by the Claimant’s relatives, Sigmund Fleischmann and Berta Fleischmann (the “Claimed Account Owners”).

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 claims stating that Sigmund Fleischmann and Berta Fleischmann, who were Jewish, were siblings. The Claimant did not indicate where Sigmund Fleischmann and Berta Fleischmann actually resided, but the CRT notes that the Claimant indicated that the Fleischmann family either resided in, or had connections to, Bamberg, Grunstadt, Hofheim, and Hessdorf, Germany.

The CRT’s Investigation

The CRT matched the names of Sigmund Fleischmann and Berta Fleischmann 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 Owners. 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 Owners. Accordingly, the CRT was unable to conclude that any of these accounts belonged to the Claimed Account Owners.

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

The CRT's Analysis

Identification of the Account Owners

The list below contains names of account owners that match the names of the Claimed Account Owners and the reasons why the CRT has concluded that the Claimed Account Owners 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.

Names: Sigmund Fleischmann and Berta Fleischmann

Account Identification Number: 6001649

Specifically, the Claimant stated that his relatives, Sigmund Fleischmann and Berta Fleischmann, were siblings and that the Fleischmann family either resided in, or had connections to, Bamberg, Grunstadt, Hofheim, and Hessdorf, Germany. In contrast, the records show that the account owners had a different familial relationship and resided in a city which the Claimant did not identify.

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 claims to the accounts of Sigmund Fleischmann and Berta Fleischmann closed. Please note that this decision applies only to the Claim Numbers 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 Numbers 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
19 December 2007