

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to the Estate of Claimant [REDACTED]
represented by [REDACTED]

**in re Account of Felix Frank
and
Account of Margarethe Frank**

Claim Number: 212767/SB

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the accounts of Felix Frank (Frankl) and Margarethe Frank.¹ This Denial is to the published account of Felix Frank (“Account Owner 1”) at the [REDACTED] (“Bank 1”), and to the published account of Margarethe Frank (“Account Owner 2”) at the [REDACTED] (“Bank 2”).

All denials are published, but where a claimant has requested confidentiality, as in this case, the names of the claimant, any relatives of the claimant other than the account owner, and the bank have been redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form asserting that her parents, Felix Frank and Margarethe Frank, née Salz, who were Jewish, each owned a Swiss bank account. The Claimant stated that her father who was born on 19 August 1884 in Vienna, Austria, owned a hardware store in Vienna, where her parents resided until 1938. The Claimant further stated that her father was deported to Dachau and that after his release from Dachau in 1939 he fled to the United States, via England. The Claimant did not indicate that her father held any academic or professional title. The Claimant stated that her father died on 12 November 1952 in Syracuse, New York, the United States and her mother died on 15 April 1966, also in New York, New York, the United States. The Claimant indicated that she was born on 22 January 1918 in Vienna.

The Claimant submitted documents in support of her claim, including (1) her father’s birth certificate, which indicates that her father’s name was Felix Frankl; (2) her own *Heimatschein*

¹ The CRT did not locate an account belonging to Felix Frankl 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”).

(certificate of residence), which indicates that her name was [REDACTED]; and (3) her father's American social security account number indicating his name, Felix H. Frank.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relatives, Felix Frank and Margarethe Frank. 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 two accounts whose owners' names match those provided by the Claimant. The accounts are identified below by their Account Identification Number, which is a number assigned to the account by the ICEP auditors for tracking purposes.

Account 5035152

Bank 1's records indicate that Account Owner 1 was Felix Frank, who resided in Vienna, Austria. Bank 1's records also indicate a title held by Account Owner 1 and the date of closing of the account.

Account 1000462

Bank 2's records indicate that Account Owner 2 was Margarethe Frank. Bank 2's records also indicate Account Owner 2's maiden name, profession and city and country of residence.

The CRT's Analysis

Admissibility of the Claim

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

As for Account 5035152, the CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Although the name of her father substantially matches the published name of Account Owner 1, the information provided by the Claimant differs from the unpublished information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant stated that her father was the owner of a hardware store and did not indicate that her father had a professional or an advanced academic title. In contrast, Bank 1's records indicate that Account Owner 1 had such a title, which is inconsistent with the Claimant's father's occupation. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's father are the same person.

As for Account 1000462, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the name of her mother substantially matches the published name of Account Owner 2, the information provided by the Claimant differs materially from the unpublished information about Account Owner 2 available in Bank 2's records. Specifically, the Claimant stated that her mother's maiden name was Salz. In contrast, Bank 2's records indicate that Account Owner 2 had a different maiden name. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's mother 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, 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
7 June 2006