

# CLAIMS RESOLUTION TRIBUNAL

---

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

## **Certified Denial**

to Claimant [REDACTED]  
represented by Uri Lauer

## **in re Account of Margarethe Frank**

Claim Number: 402074/MG<sup>1</sup>

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published account of Margarethe Frank (the “Account Owner”) at the [REDACTED] (the “Bank”).

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 in 2005, asserting that her maternal grandmother, Margarethe Frank, née Herrmann, who was born on 7 January 1879, and was married to [REDACTED] on 29 April 1900 in Nordhausen, Germany, owned a Swiss bank account. According to the Claimant, her grandmother, who was Jewish, resided in Germany and was deported to Theresienstadt, where she perished. The Claimant indicated that she was born on 13 November 1925 in Chemnitz, Germany.

The Claimant submitted documents in support of her claim, including a copy of her grandparents’ marriage certificate, which indicates that her grandmother’s maiden name was Herrmann.

### **Information Available in the Bank’s Records**

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, 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 one account whose owner’s name

---

<sup>1</sup> The Claimant submitted one additional claim, which is registered under the Claim Number 500480. In a separate decision, the CRT awarded the account of Karl Becker to the Claimant. See *In re Accounts of Karl Becker* (approved on 31 August 2005).

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.

#### Account 1000462

The Bank's records indicate that the Account Owner was Margarthe Frank. The Bank's records also indicate the Account Owner's city and country of residence and maiden name.

### **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

The CRT concludes that the Claimant has not identified the Account Owner as her relative. Although the name of her grandmother matches the published name of the Account Owner, the information provided by the Claimant differs materially from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her grandmother's maiden name was Herrmann. In contrast, the Bank's records show that the Account Owner had a different maiden name. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandmother are the same person.

#### 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 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 March 2007