

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Catherine Allouche

in re Account of Sally Frank

Claim Number: 222130/MG

This Certified Denial is based on the claim of Catherine Allouche, née Frank, (the Claimant) to an account of Sally Frank. This Denial is to the published account of Sally Frank (the “Account Owner”) at the [REDACTED] (the “Bank”).¹

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 Form, asserting that her paternal grandfather, Sally Frank, who was born on 27 March 1866 in Sögel, Germany, and was married to Amalia Frank, owned a Swiss bank account. The Claimant indicated that her grandfather, who was Jewish, was deported to Theresienstadt, where he perished in 1942. The Claimant indicated that she was born on 31 August 1950 in Colmar, France.

The Claimant submitted documents in support of her claim, including a copy of her grandfather’s certificate of incarceration, dated 25 November 1969, indicating his deportation to Theresienstadt on 23 September 1942.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Sally 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 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.

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.

Account 1001364

The Bank's records indicate that the Account Owner was Sally Frank, who resided in Germany. The Bank's records also indicate the Account Owner's city of residence in Germany and two other cities and countries of residence. Furthermore, the Bank's records indicate the date of opening of the account at issue.

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 grandfather 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 indicated that her grandfather was deported to Theresienstadt, where he perished in 1942. In contrast, the Bank's records show that the Account Owner fled Germany and survived the Holocaust. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandfather are the same person.

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 Sally Frank 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
30 May 2007