

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED 1]  
also acting on behalf of [REDACTED 2]

**in re Account of Elfriede Franke  
and  
E. Frank<sup>1</sup>**

Claim Number: 217748/SB

This Certified Denial is based on the claim of [REDACTED 1], née [REDACTED], (the “Claimant”) to the account of Friederika Elfriede Franke, née Cahn. The CRT did not locate an account belonging to Friederika Elfriede Franke, Friederika Franke or Friederika Cahn 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 Denial is to the published account of Elfriede Franke (“Account Owner 1”) at the [REDACTED] (“Bank 1”) and to the published account of E. 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 mother, Friederika Elfriede Franke, née Cahn, who was born on 9 April 1897 in Bochum, Germany, and was married to [REDACTED] in May 1921, owned a Swiss bank account. The Claimant stated that her mother, who was Jewish, lived in Herford, Germany from 1921 until 1941. According to the Claimant, her mother was interned in several concentration camps from 1941 until 1945 and emigrated to the United States in 1946, where she died in 1992. The Claimant indicated that she was born on 3 December 1927 in Germany.

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<sup>1</sup> In an effort to locate any and all accounts that might have belonged to the Claimant’s relative, the CRT has reviewed and analyzed all accounts whose owners’ names are substantially similar to that of the Claimant’s relative, even if the Claimant did not specifically claim that particular account. Moreover, the CRT recognizes that, in many cases, spellings of names have changed due to the passage of time in the decades since the Second World War, as well as due to the transcription of names into different languages.

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

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Friederika Elfriede Franke. The auditors who carried out the ICEP Investigation reported two accounts whose owners' names are substantially similar to that provided by the Claimant. Each 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 1000125

Bank 1's records indicate that Account Owner 1 was Elfriede Franke, who resided in Germany. Bank 1's records also indicate Account Owner 1's city of residence, her maiden name, as well as the name and title of a person who jointly held the account and who appears to be closely related to Account Owner 1.

### Account 5030312

Bank 2's records indicate that Account Owner 2 was E. Frank, who resided in Mainz, Germany. Bank 2's records also indicate Account Owner 2's title. Furthermore, Bank 2'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.

### Identification of the Account Owners

As for Account 1000125, the CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Although the name of Claimant's mother is substantially similar to the published name of Account Owner 1, the information provided by the Claimant differs from the unpublished information about Account Owner 1 available in the Bank's records. Specifically, the Claimant stated that her mother's maiden name was [REDACTED] and that she resided in Herford, Germany. In contrast, the Bank's records show that Account Owner 1 had a different maiden name and that she resided in a different city. In addition, the Claimant did not identify the name of the person who jointly held the account although this person appears to be closely related to Account Owner 1. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's mother are the same person.

As for Account 5030312, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the name of Claimant's mother is substantially similar to the published name of Account Owner 2, the information provided by the Claimant differs from the

published and unpublished information about Account Owner 2 available in Bank 2's records. Specifically, the Claimant stated that her mother resided in Herford, Germany. In contrast, Bank 2's records show that Account Owner 2 resided in Mainz, Germany, which is approximately 500 kilometers from Herford. In addition, the Claimant did not identify Account Owner 2's title. Consequently, the CRT is unable to conclude that the 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 the Special Master, c/o Claims Resolution Tribunal, P.O. Box 9564, 8036 Zurich, Switzerland.

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 that 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  
30 September 2004