

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

## **in re Account of Jakob Fränkel**

Claim Numbers: 005104/AH, 005209/AH<sup>1,2</sup>

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to an account of Amram Fränkel, Jakov or Yaakov Fränkel and Feiga Fränkel. The CRT did not locate an account belonging to Amram Fränkel, Jakov or Yaakov Fränkel or Feiga Fränkel 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 Jakob Fränkel (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 are redacted.

### **Information Provided by the Claimant**

The Claimant submitted a Claim Form asserting that his father, Jakov or Yaakov Fränkel, who was married to [REDACTED], owned a Swiss bank account. The Claimant stated that from 1930 to 1938 his parents resided in Mako, Hungary, and then moved to Debrecen, Hungary. The Claimant indicated that in 1944 his parents, who were Jewish, were deported to a slave labor camp near Vienna, Austria, where they were incarcerated until May 1945, and that they then returned to Debrecen. The Claimant further indicated that a private banker in Debrecen handled the Claimant’s father’s Swiss bank account on his behalf. The Claimant also indicated that he was born on 1 February 1918 in Hungary.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account opened by himself and by his parents.

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<sup>1</sup> According to Article 37 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the two claims of the Claimant in one proceeding.

<sup>2</sup> The Claimant submitted an Initial Questionnaire with the Court in 1999 and two Claim Forms to the CRT. The CRT is treating the Initial Questionnaire and the Claim Forms under the consolidated Claim Numbers 005104 and 005209.

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

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Jakov or Yaakov Fränkel. The auditors who carried out the ICEP Investigation reported one account whose owner's name was substantially similar to 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 5026420

The Bank's records indicate that the Account Owner was Jakob Fränkel, who resided in Chorzow, Poland, and that the Power of Attorney Holder was Wiktor Fränkel. The Bank's records also indicate the Account Owner's street address and a name and address of a contact person. Furthermore, the Bank's records indicate the date of closing 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 Owner

The CRT concludes that the Claimant has not identified the Account Owner as his relative. Although the name of his father is substantially similar to the published name of the Account Owner, the information provided by the Claimant differs materially from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that his father resided in Hungary. In contrast, the Bank's records show that the Account Owner resided in Poland. Furthermore, the Claimant did not identify the Power of Attorney Holder indicated in the Bank's records, although the Power of Attorney Holder shared the same last name as the Account Owner. In addition, the Claimant did not identify the name of the contact person for the account at issue. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father are the same person. Moreover, it should be noted that the CRT has awarded the account to another claimant who plausibly identified the Account Owner as his relative by identifying unpublished information about the Account Owner as contained in the Bank's records. All decisions are published upon release on the CRT's website at [www.crt-ii.org](http://www.crt-ii.org).

### 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 his 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  
13 October 2004