

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Alexander Freund and Account of A. Freund¹

Claim Numbers: 003020/SB; 212350/SB; 212361/SB; 212364/SB; 212366/SB; 212368/SB;
212411/SB^{2,3}

This Certified Denial is based on the claims of [REDACTED] (the “Claimant”) to the accounts of Alexander Freund, Frida Freiszer, Lipot Freiszer, Hermine Quitt, Alfred Quitt, Sigmund Quitt and Eugen Quitt. The CRT did not locate an account belonging to Frida Freiszer, Lipot Freiszer, Hermine Quitt, Alfred Quitt, Sigmund Quitt or Eugen Quitt 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 Alexander Freund (“Account Owner 1”) at the [REDACTED] (“Bank 1”) and the published account of A. Freund (“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 owners, and the bank have been redacted.

¹ 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.

² The Claimant submitted two additional claims to the accounts of Karoline Quitt and Olga Freund, which are registered under the Claim Numbers 212367 and 212369, respectively. The CRT will treat the claims to these accounts in separate decisions.

³ The Claimant submitted Initial Questionnaires with the Court in 1999 and Claim Forms to the CRT to the accounts of Alexander Freund, Frida Freiszer, Alfred Quitt, Sigmund Quitt and Eugen Quitt. The CRT is treating the Initial Questionnaires under the consolidated Claim Numbers 212350, 003020, 212366, 212368 and 212411, respectively.

Information Provided by the Claimant

The Claimant submitted a Claim Form asserting that his adoptive father, Alexander Freund, who was born in June 1892 in Slovakia, and was married to [REDACTED] on 17 August 1920 in Slovakia, owned a Swiss bank account. The Claimant stated that his adoptive father, who was Jewish, was a medical doctor in Nitra, Slovakia, until he was deported by the Nazis to Auschwitz in 1944, where he was killed. The Claimant indicated that he was born on 9 December 1930 in Nitra, Slovak Republic.

The Claimant previously submitted Initial Questionnaires with the Court in 1999 and ATAG Ernst & Young claim forms in 1998 asserting his entitlement to a Swiss bank account owned by numerous members of his family, including Alexander Freund.

The Claimant submitted documents in support of his application, including a copy of his adoptive father's death certificate.

Information Available in the Bank Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Alexander Freund. The auditors who carried out the ICEP Investigation reported two accounts whose owners' names match or are substantially similar to that provided by the Claimant. Each account is identified below by its Account Identification Number.

Account 1009200

Bank 1's records indicate that Account Owner 1 was Alexander Freund, who resided in Germany. Bank 1's records also indicate Account Owner 1's title and city of residence. Furthermore, Bank 1's records indicate an additional city and county of residence of Account Owner 1. Finally, Bank 1's records indicate the dates of opening and closing of the account at issue.

Account 1011532

Bank 2's records indicate that Account Owner 2 was A. Freund who resided in Müllheim, Germany. Bank 2's records also indicate the Account Owner's street address and profession.

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 1009200, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his adoptive father matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant stated that his relative resided in Slovakia. In contrast, Bank 1's records show that Account Owner 1 was from Germany, and from another country, which was not identified by the Claimant. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's adoptive father are the same person.

As for Account 1011532, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his adoptive father matches the published first initial and last name of Account Owner 2, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 2 available in Bank 2's records. Specifically, the Claimant stated that his relative was a medical doctor in Slovakia. In contrast, Bank 2's records show that Account Owner 2 was from Müllheim, Germany, and indicate Account Owner 2's profession, which was not as a medical doctor. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's adoptive father 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 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
19 November 2004