

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]¹

in re Account of Martha Frey

Claim Number: 212380/MBC

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published account of Martha Frey (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 asserting that his paternal grandmother, Martha Frey, née Cohn, who was born on 19 May 1858 in Germany and was married to Heinrich Frey, owned a Swiss bank account. The Claimant stated that his grandmother, who was Jewish, resided in Berlin, Germany, until her death on 16 November 1934. The Claimant indicated that he was born on 26 June 1922 in Berlin.

The Claimant submitted documents in support of his application, including: (1) a copy of his birth certificate indicating that the Claimant was born in Berlin under the name of [REDACTED]; (2) a copy of an application to change the Claimant’s name from [REDACTED] to [REDACTED]; (3) an application for burial (*Beerdigungs-Anmeldung*) for the Claimant’s grandmother, Martha Frey, née Cohn.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Martha Frey. 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

¹ On 14 June 2004, the Claimant’s wife, [REDACTED], informed the CRT that her husband passed away. The Claimant’s widow has provided the CRT with her late husband’s inheritance documents.

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 1000952

The Bank's records indicate that the Account Owner was Martha Frey. The Bank's records also indicate the maiden name of the Account Owner.

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 Account Owner as his relative. Although the name of his 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 in the Bank's records. Specifically, the Claimant stated and provided documents indicating that his grandmother's maiden name was Cohn. 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

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
30 December 2004