

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Manfred Friedmann

**in re Account of Arthur Friedmann
and
Accounts of A. Fridman¹**

Claim Numbers: 213458/AX; 213467/AX

This Certified Denial is based on the claim of Manfred Friedmann (the “Claimant”) to the published accounts of Arthur Friedmann and Margarete Schulz. The CRT did not locate an account belonging to Margarete Schulz 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 Arthur Friedmann (“Account Owner 1”) and to the published accounts of A. Fridman (“Account Owner 2”), all at the [REDACTED] (the “Bank”).

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 his father, Arthur Friedmann, who was born in Grosvardeim, Hungary on 20 September 1902, and was married to Margarete Friedmann, née Schulz, in Berlin, Germany on 5 April 1925 owned a Swiss bank account. The Claimant indicated that his father was a merchant, and that he resided in Berlin at Wichertstrasse 34 until 1935. The Claimant indicated that his father, who was Jewish, fled Germany with his family in 1935 and unsuccessfully attempted to enter Switzerland. The Claimant further explained that he, his father and his mother managed to enter Czechoslovakia and resided in Prague. The Claimant stated that his father emigrated to Argentina in 1936. According to the Claimant, he and his

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. 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.

family settled in Buenos Aires, Argentina, where his father passed away on 3 September 1990. The Claimant indicated that he was born in Berlin on 28 November 1928.

The Claimant submitted documents in support of his application, including: (1) his father's German passport; (2) his father's death certificate; (3) his own birth certificate.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Arthur Friedmann. 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 three accounts whose owners' names are the same as or 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 5034090

The Bank's records indicate that Account Owner 1 was Arthur Friedmann, who resided in Bruchsal, Germany. The Bank's records also indicate Account Owner 1's street address, title, profession, and date of death. Furthermore, the Bank's records indicate the name of the person who took over the account after Account Owner 1's death, as well as the relationship between this individual and Account Owner 1. Finally, the Bank's records contain Account Owner 1's signature.

Accounts 5026352, 5029954

The Bank's records indicate that Account Owner 2 was A. Fridman, who resided in Bucharest, Romania. The Bank's records also indicate Account Owner 2's street address and title. Furthermore, the Bank's records indicate the dates of opening of the accounts 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

As for Account 5034090, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his father matches the published name of Account Owner 1, the information provided by the Claimant differs materially from both published and unpublished information about Account Owner 1. Specifically, the Claimant stated that his father died on 3 September 1990, which does not match Account Owner 1's date of death

contained in the Bank's records. In addition, the Claimant stated that his father resided in Berlin. In contrast, the Bank's records show that Account Owner 1 resided in Bruchsal, a city to which the Claimant did not establish any connection and which is approximately 600 kilometers away from Berlin. Furthermore, the Claimant indicated that his father was a merchant, while the Bank's records indicate that Account Owner 1 held a different profession. Finally, the Claimant did not identify the person who took over the account. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's father are the same person.

As for Accounts 5026352, and 5029954, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his father is substantially similar to the published name of Account Owner 2, the information provided by the Claimant differs materially from both published and unpublished information about Account Owner 2 available in the Bank's documents. Specifically, the Claimant stated that his father resided in Germany until 1935. In contrast, Bank's records indicate that Account Owner 2 resided in Bucharest, Romania, a city and country to which the Claimant did not establish any connection. In addition, the Bank's records indicate that Account Owner 2 used a professional title, which was not identified by the Claimant. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's father are the same person. Moreover, it should be noted that the CRT awarded the accounts to a claimant who plausibly identified Account Owner 2 as her relative. A copy of the award -- In re Accounts of Angel Fridman -- is enclosed.

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 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 September 2004