

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

**Claimed Account Owner: Boris Frumin and Kurt Hermann<sup>1</sup>**

Claim Number: 708373/RT

This determination is based on the claim of [REDACTED] (the “Claimant”) to Swiss bank accounts potentially owned by Boris Frumin and Kurt Hermann. The CRT did not locate an account belonging to Boris (Gerschkowitsch) Frumin 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 Certified Denial is to a Swiss bank account potentially owned by Kurt Hermann, (the “Claimed Account Owner”).

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 stating that she is Jewish and is a survivor of a mass execution which took place in Dnjepropetrowsk, Union of Soviet Socialist Republics (now Dnipropetrowsk, Ukraine) in 1941, in which members of her close family were killed. The Claimant stated that before they were executed, her family members’ entire assets were confiscated by the Nazis. The Claimant asserted that Kurt Hermann, who was a Swiss national, was a Nazi collaborator and the owner of several companies in Germany and Switzerland that had the purpose to process gold and jewelry looted from Jews, including such assets belonging to the Claimant’s family. The Claimant stated that Kurt Hermann deposited these assets and/or their proceeds, including those belonging to the Claimant’s family, in a Swiss bank under his name. The Claimant indicated that the surviving members of her family are the real or beneficial owners of the assets deposited under the name of Kurt Hermann.

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<sup>1</sup> The Claimant should note that this determination relates only to the Claim Number and Claimed Account Owners stated above, and that the CRT is aware that the Claimant may have submitted other claims.

## The CRT's Investigation

The CRT matched the name of Kurt Hermann to the names of all account owners in the Account History Database and identified accounts belonging to individuals whose names match, or are substantially similar to, the name of the Claimed Account Owner. In doing so, the CRT used advanced name matching systems and computer programs, and considered variations of names, including name variations provided by Yad Vashem, The Holocaust Martyrs' and Heroes' Remembrance Authority, in Jerusalem, Israel, to ensure that all possible name matches were identified. However, a close review of the relevant bank records indicated that the information contained therein was inconsistent with the information the Claimant provided regarding the Claimed Account Owner. Accordingly, the CRT was unable to conclude that any of these accounts belonged to the Claimed Account Owner.

## The CRT's Analysis

### Identification of the Account Owner

The list below contains names of account owners that match the name of the Claimed Account Owner and the reasons why the CRT has concluded that the Claimed Account Owner and an account owner are not the same person. If an account owner's place of residence was published, that place of residence is also listed.

*Name: Kurt Hermann*

*Account Identification Number: 5027034*

*Specifically, the Claimant stated that Kurt Hermann was a Nazi collaborator and the owner of several companies involved with the processing of looted assets. The Claimant asserted that Kurt Hermann deposited assets, or the proceeds from such assets, looted from Jews, including members of the Claimant's family. The Claimant stated that the surviving members of her family are the real or beneficial owners of the account held under the name Kurt Hermann. In contrast, the records do not indicate that the account was opened on behalf of, or for the benefit of, anyone else but the account owner. The records further do not indicate that the account owner was involved with any business of the kind described by the Claimant. The CRT further notes that throughout its investigation, the Independent Committee of Eminent Persons ("ICEP") also matched the names of 1,934 individuals determined as having been potential looters (for example senior Nazi officials or collaborators) with the names contained in the databases of accounts made available to it by Swiss banks.<sup>2</sup> Such accounts were then excluded from the Account History Database. The CRT notes that there is therefore no evidence to conclude that the account contained in the Account History Database was owned by a Nazi or Nazi collaborator. The CRT also notes that a database of victim names compiled by Yad Vashem Memorial includes ten entries related to individuals with the name Kurt Hermann, which indicates that there were Jewish Victims with the name Kurt Hermann. Consequently, the CRT determines that the individual identified by the Claimant and the account owner are not the same person.*

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<sup>2</sup> See Independent Committee of Eminent Persons (ICEP), *Report on Dormant Accounts of Victims of Nazi Persecution in Swiss Banks* (the "ICEP Report"). Bern: Staempfli Publishers, Ltd., 1999, page 16, para.55.

The Claimant should note that all accounts awarded by the CRT are published upon release on the CRT's website at [www.crt-ii.org](http://www.crt-ii.org).

### Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"), the Claimant may appeal this decision or submit a request for reconsideration within ninety (90) days of the date of the letter accompanying this decision.

An appeal must be based upon a plausible suggestion of error regarding the CRT's conclusions set out in this decision. Any appeals which are submitted without a plausible suggestion of error shall be summarily denied. A request for reconsideration must be based on new documentary evidence not previously presented to the CRT that, if considered, would have led to a different outcome of the claim. Claimants should briefly explain the relevance of the newly submitted documents in view of the conclusions stated in the certified decision.

The Claimant should send appeals and/or requests for reconsideration in writing to the following address: Oren Wiener, Claims Resolution Tribunal, Attention: Appeals / Request for Reconsideration, P.O. Box 9564, 8036 Zurich, Switzerland. If more than one account has been treated in this decision, the Claimant should identify the account, including, where available, the Account Identification Number, that forms the basis of the appeal and/or request for reconsideration.

### **Scope of the Denial**

The CRT now considers the Claimant's claim to the accounts of Boris Frumin and Kurt Hermann closed. Please note that this decision applies only to the Claim Number and Claimed Account Owners identified herein, and that the CRT is aware that the Claimant may have claimed accounts held by other persons or entities both in the Claim Number specified above and in other claims submitted to the CRT.

### **Certification of the Denial**

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal  
12 February 2010