

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]
also acting on behalf of [REDACTED]

in re Accounts of Arnold Fuchs

Claim Number: 401624/SB

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the published accounts of Arnold Fuchs (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 in 2005 asserting that her paternal grandfather, Arnold Fuchs, who was born on 11 March 1877 in Schildberg, today Poland, and was married to [REDACTED] in 1920, owned a Swiss bank account. The Claimant stated that her grandfather, who was Jewish, was a medical doctor who resided in Breslau, Germany (today Wroclaw, Poland) and Beuthen, Germany (today Bytom, Poland). The Claimant further stated that her grandfather died on 15 December 1938 in Breslau. The Claimant indicated that she was born on 10 October 1961 in London, the United Kingdom.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Arnold Fuchs. 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 two accounts whose owner’s name matches 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.

Accounts 1011960 and 1011961

The Bank's records indicate that the Account Owner was Arnold Fuchs. The Bank's records also indicate the Account Owner's occupation, cities and countries of residence and the dates of opening and closing 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 Governing the Claims Resolution Process, as amended (the "Rules").

Identification of the Account Owner

The CRT concludes that the Claimant has not identified the Account Owner as her relative. Although the name of her grandfather matches the published name of the Account Owner, the information provided by the Claimant differs materially from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her grandfather resided in Germany and died on 15 December 1938. In contrast, the Bank's records show that the Account Owner was alive nearly a year after the Claimant's grandfather's death, and that the Account Owner resided in other countries, which the Claimant did not identify. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandfather 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 Special Master Michael Bradfield, 51 Louisiana Ave., NW, Washington, DC 20001 USA.

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, which 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 her 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
17 November 2006