

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant Roger Marcel Solomon Weil

## **in re Account of Ernest Gans and Eric Weil**

Claim Number: 211032/MW

This Certified Denial is based upon the claim of Roger Marcel Solomon Weil (the “Claimant”) to the published account of Eric Weil. This Denial is to the account of Eric Weil (“Account Owner Weil”) and Ernest Gans (“Account Owner Gans”) (together the “Account Owners”) at the Lausanne branch of 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 identifying Account Owner Weil as his father, Eric Weil, who was born on 23 July 1905 in Saint Jean-Sur-Sarre, Germany, and was married to Johanna Margot Weil, née Gans, on 1 August 1933 in Saarbrücken, Germany. The Claimant stated that his father moved from Germany to Paris, France, in 1930 and worked as an employee in a bank. According to the Claimant, Eric Weil, who was Jewish, fled to Portugal in 1940 because of Nazi persecution. The Claimant further stated that his father lived at Rua Badreantónio Vieira 28, in Lisbon, Portugal, until 1950, when he returned to Paris. The Claimant indicated that his father died on 6 June 1991 in Neuilly-Sur-Seine, France. In a telephone conversation with the CRT on 1 July 2002, the Claimant stated that his mother’s brother was Ernest Gans. The Claimant could not provide additional information about his mother’s brother. In support of his claim, the Claimant submitted documents including his parents’ marriage certificate, which indicates that Erich Weil and Johanna Gans were married in Saarbrücken, Germany; his parents’ official family booklet, issued in Paris, which indicates that the Claimant, and his sister, Eliane Weil, were born in Paris; the Claimant’s marriage certificate, issued in Paris, which indicates that his parents were Erich Weil and Margot Gans; and the death certificate of the Claimant’s father, which indicates that Erich Weil died on 6 June 1991 in Neuilly-sur-Seine, France. The Claimant indicated that he was born on 23 September 1937 in Paris.

## **Information Available in the Bank's Record**

The Bank's record consists of a customer card. According to this record, the Account Owners were Ernest Gans and Eric Weil, who resided in Paris, France, and Metz, France. The Bank's record indicates that the Account Owners jointly held a demand deposit account, which was opened on 11 February 1939, and closed on 13 January 1940. The amount in the account on the date of its closure is unknown.

## **The CRT's Analysis**

### Identification of the Account Owners

The Claimant has plausibly identified the Account Owners. His father's name and country of residence matches the published name and country of residence of Account Owner Weil. The Claimant identified his father's city of residence, which matches unpublished information about Account Owner Weil contained in the Bank's record. The Claimant's uncle's name matches the unpublished name of Account Owner Gans. In support of his claim, the Claimant submitted documents, including his parents' marriage certificate, which indicates that Erich Weil and Johanna Gans were married in Saarbrücken, Germany; and the Claimant's marriage certificate, issued in Paris, which indicates that his parents were Erich Weil and Margot Gans. These documents provide independent verification that the person who is claimed to be Account Owner Weil had the same name and resided in the same city recorded in the Bank's record as the name and city of residence of Account Owner Weil. The CRT notes that the other claims to this account were disconfirmed because those claimants provided a different city and country of residence than the cities and country of residence of the Account Owners.

### Status of the Account Owners as Victims of Nazi Persecution

The Claimant has made a plausible showing that Account Owner Eric Weil was a Victim of Nazi Persecution. The Claimant stated that his father, Eric Weil, was Jewish, and fled to Portugal in 1940 due to Nazi persecution.

### The Claimant's Relationship to the Account Owners

The Claimant has plausibly demonstrated that he is related to the Account Owners by submitting specific information and documents, demonstrating that Account Owner Weil was the Claimant's father, and Account Owner Gans was the Claimant's maternal uncle. These documents include the Claimant's marriage certificate, which indicates that his parents were Erich Weil and Margot Gans. The CRT notes that the Claimant identified the unpublished name of Account Owner Gans as contained in the Bank's record, which supports the plausibility that he is related to Account Owner Gans.

### The Issue of Who Received the Proceeds

The Bank's record indicates that the Account Owners jointly held a demand deposit account, which was closed on 13 January 1940. The CRT notes that the closure was prior to the Nazi invasion of France of 10 May 1940, and therefore, the CRT determines that the Account Owners were able to access this account, and concludes that the Account Owners closed this account and received the proceeds themselves.

### 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. 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, pursuant to Article 20 of the Rules, the CRT will carry out further research on his claim to determine whether there are additional Swiss bank accounts to which he might be entitled, including research of the Total Accounts Database (consisting of records of 4.1 million Swiss bank accounts which existed between 1933 and 1945).

### **Certification of the Denial**

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal  
10 September 2004