

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]
represented by [REDACTED], [REDACTED], and [REDACTED]

in re Accounts of Julius Gedalja

Claim Number: 300420/AV

This Certified Denial is based upon the claim of [REDACTED] (the “Claimant”) to the published accounts of Julius Gedalja (the “Account Owner”) at the Zurich branch of 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 identifying the Account Owner as his paternal great-uncle, Julius Gedalja, who was born on 26 August 1884 or 1889 in Belgrade, Serbia, and was married to [REDACTED], née [REDACTED], on 27 June 1917 in Vienna, Austria. The Claimant stated that Julius Gedalja's father, [REDACTED], was the Claimant's great-grandfather. The Claimant further stated that Julius Gedalja, who was Jewish, worked as a business agent. The Claimant indicated that Julius Gedalja periodically resided in Vienna between the years 1915 and 1933, and that he returned from Vienna to Belgrade on 10 September 1933. The Claimant could not provide further information about the fate of his relative after this date, but stated that Julius Gedalja was shot by Nazis in 1941.

In support of his claim, the Claimant submitted a document from the Vienna City Archive, indicating that Julius Gedalja was from Belgrade, that he periodically resided in Vienna between the years 1915 and 1933, and that he last resided in Vienna from 1 September 1933 until 10 September 1933, after which he returned to Belgrade. The Claimant further submitted e-mails from the Jewish Historical Museum in Belgrade and the Jewish Community of Vienna, indicating that Julius Gedalja was born in Belgrade and that his parents were [REDACTED] and [REDACTED]. Finally, the Claimant submitted excerpts from an extensive family history, indicating that [REDACTED] was Julius Gedalja's father and the Claimant's great-grandfather. The Claimant indicated that he was born on 22 June 1941 in Zagreb, Croatia.

Information Available in the Bank's Record

The Bank's record consists of a customer card. According to this record, the Account Owner was Julius Gedalja, who resided in Belgrade, Yugoslavia. The Bank's record indicates that the Account Owner held two demand deposit accounts. The Bank's record indicates that one of these demand deposit accounts was opened on 31 March 1939 and closed on 20 May 1940, and that the other demand deposit account was opened in April 1939 and closed on 31 January 1940. The amounts in the accounts on the dates of their closures are unknown.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. The Claimant's great-uncle's name and country of residence match the published name and country of residence of the Account Owner. The Claimant identified the Account Owner's city of residence, which matches unpublished information about the Account Owner contained in the Bank's record.

In support of his claim, the Claimant submitted documents, including a document from the Vienna City Archive and e-mails from the Jewish Historical Museum in Belgrade and the Jewish Community of Vienna, indicating that Julius Gedalja resided in Belgrade, providing independent verification that the person who is claimed to be the Account Owner had the same name and resided in the same city recorded in the Bank's record as the name and city of residence of the Account Owner. The CRT notes that the name Julius Gedalja appears only once on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons ("ICEP") to be probably or possibly those of victims of Nazi persecution. Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a person named Julius Gedalja, and indicates that he resided in Belgrade, which matches the information about the Account Owner provided by the Claimant. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel. The CRT notes that there are no other claims to these accounts.

Status of the Account Owner as a Victim of Nazi Persecution

The Claimant has made a plausible showing that the Account Owner was a Victim of Nazi Persecution. The Claimant stated that the Account Owner was Jewish, and that he was shot by Nazis in 1941. As noted above, a person named Julius Gedalja was included in the CRT's database of victims.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is related to the Account Owner by submitting specific information and documents, demonstrating that the Account Owner was the Claimant's great-uncle. These documents include e-mails from the Jewish Historical Museum in Belgrade and the Jewish Community of Vienna, indicating that Julius Gedalja's father was [REDACTED],

and an extensive family history, indicating that [REDACTED] was Julius Gedalja's father and the Claimant's great-grandfather.

The Issue of Who Received the Proceeds

The Bank's record indicates that the demand deposit accounts were closed on 31 January 1940 and 20 May 1940, approximately one year before Yugoslavia was invaded by Nazi Germany in April 1941. Therefore, the CRT concludes that the Account Owner had access to his accounts up until the dates of their closure, and that he closed the accounts and received the proceeds himself.

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. 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 and by the Special Masters.

Claims Resolution Tribunal
6 May 2006