

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant Frank Nicholas Glavan,  
also acting on behalf of Mira Hartley

**in re Account of Leo Glaser and Ila Glaser<sup>1</sup>**

Claim Numbers: 201333/TW; 201334/TW

This Certified Denial is based upon the claim of Frank Nicolas Glavan (formerly known as Branko Glaser) (the “Claimant”) to the published account of Leo Glaser and Ila Glaser (the “Account Owners”) at the Zurich 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 Claim Forms identifying the Account Owners as his parents, Leo Glaser and Helen Maria (Ila or Jelena) Glaser, née Rosenbaum. The Claimant stated that his father was born on 16 April 1898 in Sered Nad Vahom, Czechoslovakia, and that his mother was born on 18 February 1903 in Zagreb, Yugoslavia (now Croatia), and that they were married on 20 June 1926 in Zagreb. According to the Claimant, his parents, who were Jewish, had two children, the Claimant and his sister, Mira Hartley, née Glavan. The Claimant stated that his father owned a wholesale liquor and brandy store *Glaser I Drug*, located at Zerjaviceva 6 in Zagreb, which was also the family’s home address until 1941. The Claimant further stated that his father changed his name from “Glaser” to “Glavan” in 1939 and that in 1941, following the Nazi occupation of Yugoslavia, his parents fled to Susak, Yugoslavia (now Croatia), then occupied by Italy, and that his father was incarcerated for six weeks in Fiume, Italy. The Claimant indicated that his parents were in Rapino, Italy, until the Italian armistice, and then crossed over to the part of Italy that was occupied by the Allied Forces. The Claimant further stated that his parents remained in Italy until 1949, when they emigrated to the United States under the Displaced Persons Act. The Claimant stated that his father died on 8 September 1968 in Oregon, the United States, and that his mother died on 19 August 1995 in Oregon.

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<sup>1</sup> The CRT notes that, 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 (the “ICEP List”), the names Leo Glaser and Ila Glaser, are published as having one account each. Upon careful review, the CRT has concluded that the Bank’s record evidences the existence of only one account jointly held by Leo and Ila Glaser.

In support of his claim, the Claimant submitted numerous documents, including a certificate from the Jewish community in Zagreb, confirming that the Claimant, his father, Leo Glavan and mother, Jelena Glavan, who were classified as Jewish according to the race laws of 1941, were forced to wear the Star of David; his mother's birth and death certificates; his father's name change certificate from 1939, indicating he changed his name from *Glaser* to *Glavan*; his parents' marriage certificate, indicating Leo Glavan (Glaser) married Ila (Jelena) Rosenbaum in Zagreb; his sister's birth certificate indicating that Leo Glavan (Glaser) and Ila Rosenbaum are her parents; the Claimant's baptismal certificate from 1939, confirming his parents were Leo Glaser and Jelena Rosenbaum; an article recounting the hardships the Claimant's family endured fleeing from Yugoslavia to Italy, and their relocation to Oregon after the Second World War under the Displaced Persons Act; and his mother's will, confirming the Claimant and his sister are her only heirs. The Claimant stated that his father died intestate and that upon his death in 1968 his mother became his sole heir.

The Claimant indicated that he was born on 11 March 1927 in Zagreb. The Claimant is representing his sister Mira Hartley, née Glavan, who was born on 4 July 1930 in Zagreb.

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

The Bank's record consists of a customer card. According to this record, the joint Account Owners were Leo Glaser and *Frau* (Mrs.) Ila Glaser who resided in Zagreb, Yugoslavia. The Bank's record indicates that the Account Owners held a demand deposit account. The Bank's record indicates that the account was closed on 10 May 1939. The amount in the account on the date of its closure is unknown.

### **The CRT's Analysis**

#### Joinder of Claims

According to Article 37(1) of the Rules Governing the Claims Resolution Process, as amended (the "Rules"), claims to the same or related accounts may be joined in one proceeding at the CRT's discretion. In this case, the CRT determines it appropriate to join the two claims of the Claimant in one proceeding.

#### Identification of the Account Owners

The Claimant has plausibly identified the Account Owners. The Claimant's parents' names and country of residence match the published names and country of residence of the Account Owners. The Claimant stated that his parents resided in Zagreb which matches unpublished information about the Account Owners contained in the Bank's record.

In support of his claim, the Claimant submitted numerous documents, including his father's name change certificate, indicating he changed his name from *Glaser* to *Glavan* and his parents' marriage certificate, indicating Leo Glavan (Glaser) was married to Ila (Jelena) Rosenbaum in

Zagreb. These documents provide independent verification that the persons who are claimed to be the Account Owners had the same names and city of residence recorded in the Bank's record as the names and city of residence of the Account Owners.

Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes persons named Leo Glaser/Glavan, and Jelana Glaser/Glavan and indicates that their city of residence was Zagreb, Yugoslavia, and that Leo Glaser/Glavan was a wholesale merchant, which matches information about the Account Owner provided by the Claimant. The database also contains the names of Branko Glaser/Glavan and Mira Glaser/Glavan. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel.

The CRT further notes that the Claimant identified that the Account Owners were related, although they were published separately by the Independent Committee of Eminent Persons ("ICEP" or the "ICEP Investigation") on the February 2001 list of bank accounts probably belonging to Victims of Nazi Persecution (the "ICEP List"). Furthermore, the CRT notes that the other matches to this account were disconfirmed because those claimants provided a different country of residence than the country of residence of the Account Owner.

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

The Claimant has made a plausible showing that the Account Owners were Victims of Nazi Persecution. The Claimant stated that the Account Owners were Jewish, that they converted to Christianity in 1938, and that they fled Zagreb, Yugoslavia, for Italy and then left Italy for the United States in 1949. The Claimant submitted certificates from the Jewish community in Zagreb confirming that the Claimant, his father and his mother, who were classified as Jewish according to the race laws of 1941, were forced to wear the Star of David. As noted above, persons named Leo Glaser/Glavan and Jelena Glaser/Glavan were included in the CRT's database of victims.

#### 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 the Account Owners were his father and mother. These documents include his mother and father's marriage certificate, indicating that Leo Glavan (Glaser) was married to Ila (Jelena) Rosenbaum; his baptismal certificate from 1938, indicating that his father and mother were Leo Glaser and Jelena Rosenbaum respectively and his mother's will, demonstrating that the Claimant is her son and the Claimant's sister is her daughter. There is no information to indicate that the Account Owners have other surviving heirs, but for the Claimant and his sister, whom he is representing in these proceedings.

#### The Issue of Who Received the Proceeds

The Bank's record indicates that the demand deposit account was closed on 10 May 1939. The CRT notes that this account was closed before the Nazi invasion of Yugoslavia on 6 April 1941.

Therefore, the CRT determines that the Account Owners were able to access these accounts, and concludes that the Account Owners closed these accounts 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 claims 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  
8 August 2004