

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

**in re Account of Gitla Gliksman**

Claim Number: 600870/AX<sup>1</sup>

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to an account of Gitla Gliksman (Geller, Geler, Kaplon, Kaplan). This Denial is to the published account of Gitla Gliksman at the [REDACTED] (the “Bank”).<sup>2,3</sup>

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 to the Holocaust Claims Processing Office (“HCPO”) asserting that his mother, Gitla Geller (Geler), née Kaplon (Kaplan), who was born in 1892 in Lowicz, Poland, and was married to [REDACTED] on 10 October 1928 in Lodz, Poland, owned a Swiss bank account. The Claimant indicated that his mother, who was Jewish, was previously married to an individual with the family name [REDACTED]. The Claimant further indicated that his parents owned a textile manufacturing company named *A. J. Geller*. In addition, the Claimant indicated that his family resided in Lodz until January 1940, and that they were confined to the Lodz Ghetto thereafter. The Claimant further indicated that his mother was deported to Auschwitz in 1944, and that she perished there. The Claimant indicated that he was born on 8 April 1930 in Lodz.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by his parents, [REDACTED] and Gitla Geller.

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<sup>1</sup> The Claimant submitted a claim, numbered B-00235, on 20 October 1997, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 600870.

<sup>2</sup> The CRT did not locate an account belonging to Gitla Geller (Geler, Kaplon or Kaplan) 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”).

<sup>3</sup> In this claim, the Claimant also claimed the accounts of Abram Jakub Geller (Geler), and accounts held under the name of Luba Gliksman (Geler, Geller). The CRT will treat the claims to these accounts in separate determinations.

The Claimant submitted documents in support of his application, including: (1) his parents' marriage certificate, indicating that Gitla Gliksman, née Kaplon, was married to [REDACTED]; and (2) the Claimant's birth certificate, indicating that his parents were [REDACTED] and Gitla Geler, née Kaplon.

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

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Gitla Gliksman. 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 one account whose owner's name matches that provided by the Claimant. The account is identified below by its Account Identification Number, which is a number assigned to the account by the ICEP auditors for tracking purposes.

#### Account 5023890

The Bank's records indicate that the Account Owner was Gitla Gliksman, who resided in Nice, France, and that the Power of Attorney Holder was Marian Gliksman. The Bank's records further indicate the date on which power of attorney was granted to the Power of Attorney Holder. The Bank's records also indicate the Account Owner's street address, the name of her spouse, and contain the Account Owner's signature.

### **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 his relative. Although the name of his mother matches the published name of the Account Owner, the information provided by the Claimant differs materially from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant indicated that his mother was married to [REDACTED] in 1928, and that she remained married to him until her death. In contrast, the Bank's records indicate that the Account Owner was married to a different individual during this time period. Additionally, the Claimant stated that his mother resided in Poland. In contrast, the Bank's records show that the Account Owner resided in France. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's mother 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 that 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 his 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  
30 September 2005