

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to the Estate of Claimant [REDACTED]¹
represented by Pearl Abrahamson

in re Account of M. Gottlieb²

Claim Number: 600315/SB³

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the account of Moshke Gottlieb. The CRT did not locate an account belonging to Moshke Gottlieb 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”). This Denial is to the published account of M. Gottlieb (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 to the Holocaust Claims Processing Office (“HCPO”) asserting that his cousin, Moshke Gottlieb, who was born in Kutu, Poland, owned a Swiss bank account. The Claimant stated that his cousin, who was Jewish, was the owner of a bank in Kutu. The Claimant further stated that his cousin was conscripted into the Polish army and died sometime during the Second World War. The Claimant stated that he was born on 18 April 1909 in Kutu.

¹ In an email dated 7 September 2005, the Holocaust Claims Processing Office (“HCPO”) informed the CRT that the Claimant passed away on 24 January 2002.

² In an effort to locate any and all accounts that might have belonged to the Claimant’s relative, the CRT has reviewed and analyzed all accounts whose owners’ names are substantially similar to that of the Claimant’s relative, even if the Claimant did not specifically claim that particular account.

³ The Claimant submitted a claim, numbered B-01573, on 4 December 1998, to the HCPO of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 600315.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Moshke Gottlieb. The auditors who carried out the ICEP Investigation reported one account whose owner's first name initial and last name match 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 1011226

The Bank's records indicate that the Account Owner was M. Gottlieb, who resided in Germany. The Bank's records also indicate the Account Owner's city of residence, gender and the dates of opening and closing of the account 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.

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 cousin matches the published first name initial and last 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 stated that his cousin was male and resided in Poland. In contrast, the Bank's records show that the Account Owner was female and resided in Germany. Consequently, the CRT concludes that the Account Owner and the Claimant's cousin are not 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
21 September 2005