

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Henri Gross

Claim Number: 213147/CN¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to accounts of Henri (Henry or Heinz) Grass (Gross or Grahs or Grohs).² This Denial is to the published accounts of Henri Gross (“Account Owner 1”) at the [REDACTED] (“Bank 1”) and Henri Gross (“Account Owner 2”) at the [REDACTED] (“Bank 2”).

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 asserting that his brother, Henri Grass, who was born on 30 June 1914 in Strasburg, Germany (now Strasbourg, France), and was never married, owned a Swiss bank account. The Claimant stated that his brother, who was Jewish, was an owner of an electronic repair shop, and that he fled Germany for France in late 1933 or early 1934. According to the Claimant, his brother remained in France until 1960 or 1961, when he emigrated to California, the United States, where he died on 4 January 2001. The Claimant indicated that he was born on 3 January 1920 in Strasburg.

The Claimant submitted documents in support of his application, including his brother’s: French work permit (*Carte Permanente de Travail*), issued on 24 October 1947, which indicates that his name was Henry Grass; a certificate of residence (*Récépissé de Déclaration de Changement de Résidence*), dated 8 October 1957, which indicates that the Claimant’s brother resided in Paris and that his name was “Henri Grass”; (3) a certificate of refugee status (*Certificat de Réfugié*),

¹ The Claimant submitted additional claims to the accounts of Marcus Manasse and Eugen Gross, which are registered under the Claim Numbers 213146 and 401280, respectively. In a separate decision, the CRT awarded the accounts of Marcus Manasse to the Claimant. See *In re Accounts of Marcus Manasse* (approved on 25 October 2002). The CRT will treat the claim to the account of Eugen Gross in a separate determination.

² The CRT did not locate an account belonging to Henri (Henry or Heinz) Grass (or Grahs or Grohs), 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”).

issued by the French ministry of foreign affairs, valid from 23 December 1960 to 22 December 1963, which indicates that the Claimant's brother was considered a refugee and that his name was "Henri Grass"; and (4) the Claimant's brother's death certificate, issued on 12 January 2001 by the County of Los Angeles, California, which indicates that his name was "Henri Grass" and that he was never married.

Information Available in the Banks' Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Henri Grass (also known as Gross). 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 four accounts whose owners' names matches that provided by the Claimant.

Accounts 5024684, 5029654, 5034622

Bank 1's records indicate that Account Owner 1 was Henri Gross, who resided in Paris, France. Bank 1's records also indicate Account Owner 1's street address, the name of his spouse, and the name of the person who jointly held the account at issue with Account Owner 1.

Account 1000850

Bank 2's record indicates that Account Owner 2 was Henri Gross.

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 Owners

As for Accounts 5024684, 5029654 and 5034622, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. The CRT notes that the Claimant stated that his brother was also known as Henri Gross, which matches the published name of Account Owner 1. The CRT also notes, however, that the Claimant submitted several documents which show that the Claimant's brother consistently used the name "Henri Grass" for official purposes. In addition, the CRT notes that the Claimant did not submit any document showing that his brother used the name "Gross" for official purposes, including for the purpose of opening a bank account. Moreover, the Claimant stated that his brother never married. In contrast, Bank 1's records show that Account Owner 1 was married. Additionally, the CRT notes that the Claimant did not identify the name of the person who jointly held the account at issue with Account Owner 1 and was related to Account Owner 1. Consequently, the CRT is unable to conclude that

Account Owner 1 and the Claimant's brother are the same person. Moreover, it should be noted that the CRT has awarded the account to another claimant who plausibly identified Account Owner 1 as his relative. All decisions are published upon release on the CRT's website at www.crt-ii.org.

As for Account 1000850 at Bank 2, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. The CRT notes that the Claimant stated that his brother was also known as Henri Gross, which matches the published name of Account Owner 2. The CRT also notes, however, that the Claimant submitted several documents, which consistently show that the Claimant's brother was using the name "Henri Grass" for official purposes. In addition, the CRT notes that the Claimant did not submit any document showing that his brother used the name "Gross" for official purposes, including for the purpose of opening a bank account. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's brother are the same person. Moreover, it should be noted that the CRT has awarded the account to other claimants who plausibly identified Account Owner 2 as their relatives. All decisions are published upon release on the CRT's website at www.crt-ii.org.

The CRT has taken utmost care in matching the names of the person identified by the Claimant as a possible account owner to names of actual account owners identified in the Account History Database prepared pursuant to the ICEP Investigation, which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules. The CRT uses advanced name matching systems that consider variations of names, including name variations provided by Yad Vashem, Israel, to ensure that all possible name matches are identified. The CRT has reviewed this claim carefully and analyzed matches to accounts belonging to account owners with alternative spellings of Henri Grass's surname, which include Gros, and has determined that these accounts do not belong to the Claimant's relative.

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, or the alternative surnames of the Account Owner identified above, which form 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/her 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 November 2005