

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Naomi Koren
also acting on behalf of Chagai Ilan and Shua Nadav

in re Account of Tilly Grünebaum

Claim Number: 003525/MBC¹

This Certified Denial is based on the claim of Naomi Koren, née Jurmann, (the “Claimant”) to an account belonging to Justin Grünebaum, Sally Grünebaum, Tilly Grünebaum or *Hanseatisches Reisebüro Wien der Agudat Israel Wien*. The CRT did not locate an account belonging to Justin Grünebaum, Sally Grünebaum or *Hanseatisches Reisebüro Wien der Agudat Israel Wien* 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 Tilly Grünebaum (the “Account Owner”) 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 a Claim Form asserting that her late first husband’s sister, who was born on 14 July 1923 in Würzburg, Germany, owned a Swiss bank account. The Claimant stated that her late first husband’s sister, Tilly Grünebaum, resided in Gaukönigshofen with her mother. In a telephone conversation with the CRT on 27 June 2002, the Claimant stated that her late first husband, Justin Grünebaum, who was born in Gaukönigshofen in 1927, was schooled elsewhere, probably in Burgpreppach, Germany (about 70 kilometers from Gaukönigshofen) and that it is possible that his sister, Tilly, was also schooled elsewhere. According to the Claimant, Tilly Grünebaum and her mother were separated from Justin Grünebaum at the end of 1939. The Claimant stated that she believed Tilly Grünebaum, who was Jewish, perished in a concentration camp in 1942. The Claimant indicated that she was born on 14 November 1929 in Basel, Switzerland.

¹ The Claimant submitted an Initial Questionnaire with the court in 1999 and a Claim Form to the CRT. The CRT is treating the Initial Questionnaire and the Claim Form under the consolidated Claim Number 003525.

The Claimant submitted documents in support of her application, including: (1) her late husband's German Reich passport and birth certificate; (2) a reference issued on 30 June 1960 by the mayor of Gaukönigshofen pertaining to the deportation of Sally and Tilly Grünebaum; (3) letters of correspondence with the *Schweizerische Bankgesellschaft*, the *Schweizerische Bankvereinigung* (the Swiss Bankers' Association), and the *Meldestelle für Vermögen verschwundener Ausländer* (the Contact Office for Assets belonging to Foreigners who disappeared); and (6) a Yad Vashem testimony submitted in 1956 and pertaining to Tilly Grünebaum, which indicates that her permanent residence was in Gaukönigshofen, Germany..

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Tilly Grünebaum. The auditors who carried out 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 1009964

The Bank's record indicates that the Account Owner was Tilly Grünebaum, who resided in Germany. The Bank's record also indicates the Account Owner's city of residence and her marital status. Furthermore, the Bank's record indicates 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 her relative. Although the name of her sister-in-law matches the published name of the Account Owner, the information provided by the Claimant differs materially from the unpublished information about the Account Owner available in the Bank's record. Specifically, the Claimant stated that her sister-in-law, who was born in 1923, resided in Gaukönigshofen, Germany. In contrast, the Bank's record indicates that the Account Owner resided in a different city, which is over 400 kilometers from Gaukönigshofen, which was not identified by the Claimant, and to which the Claimant did not establish any connection. In addition, the CRT notes that the account at issue was opened and closed while the Claimant's sister-in-law was a young child and could not have independently make any transactions in the account, and further notes that there is no indication in the Bank's record that the account at issue was opened by an adult on behalf of a minor.

Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's sister-in-law are the same person.

Right of Appeal

Pursuant to Article 30 of the Rules, the Claimant/s 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 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
15 July 2005