

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Wilhelm Haecker

Claim Number: 400326/MBC¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published account of Wilhelm (William, Vilmos) Haecker (Hacker).² This Denial is to the published account of Wilhelm Haecker (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 Form in 2005 asserting that his maternal aunt’s husband, Wilhelm Haecker, who was born in 1900 in Budapest, Hungary, and was married to [REDACTED], née [REDACTED], around 1936 or 1937 in Hungary, owned a Swiss bank account. The Claimant stated that his uncle, who was Jewish, resided in Budapest from 1900 to 1925 and in Vienna, Austria, from 1927 to 1929, and that he later resided in the United States from 1929 to 1932, but eventually returned to Hungary in 1933. The Claimant explained that his uncle was an attorney and the head of Jewish communities in small Transdanubian towns until 1944, when he was deported, together with his spouse, to Auschwitz, where they perished. The Claimant indicated that he was born on 15 August 1921 in Vienna.

¹ The Claimant submitted an additional claim, which is registered under the Claim Number 202520. In a separate decision, the CRT awarded the account of Paul Buxbaum to the Claimant. See *In re Account of Paul Buxbaum* (approved on 18 August 2004). In another decision, the CRT awarded the account of Salomon Matyas to the Claimant. See *In re Account of Salomon Matyas* (approved on 18 August 2004).

² The CRT did not locate an account belonging to Wilhelm (William, Vilmos) Hacker or William (Vilmos) Haecker 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”).

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Wilhelm Haecker. 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 5024034

The Bank's records indicate that the Account Owner was Wilhelm Haecker. The Bank's records also indicate the Account Owner's city and country of residence. Furthermore, the Bank's records indicate the power of attorney holder's name, street address, city and country of residence, as well as the opening date of the account at issue. Finally, the Bank's records contain the Account Owner's and the power of attorney holder's signatures.

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 uncle 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 records. Specifically, the Claimant stated that his uncle resided in Budapest from 1900 to 1925 and from 1927 to 1929 in Vienna, and that he later resided in the United States from 1929 to 1932, but eventually returned to Hungary in 1933, where he resided until his deportation in 1944. In contrast, the Bank's records show that the Account Owner resided in a different country, which was not identified by the Claimant, and to which the Claimant did not establish any connection. Further, the CRT notes that the Claimant failed to identify the power of attorney holder, even though that individual appears to be closely related to the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's uncle 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
7 June 2006