

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]
represented by Elisheva Ansbacher

in re Accounts of Karl Wilhelm Hamburger

Claim Number: 216945/SB

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the published accounts of Karl Hamburger (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 asserting that her maternal uncle, Karl Hamburger, who was born on 5 November 1904, in Frankfurt am Main, Germany, owned a Swiss bank account. According to the Claimant, sometime after 1942, her uncle was deported by the Nazis from a sanitarium in Koblenz am Rhein. The Claimant indicated that she was born on 25 December 1929 in Frankfurt am Main.

The Claimant submitted documents in support of her claim, including: (1) a copy of a birth registration of her uncle and mother, which indicates that they were born in Frankfurt am Main; (2) the Claimant’s parents’ marriage certificate, which indicates that they were married in Frankfurt am Main in 1927; and (3) a Red Cross document showing that her maternal uncle was in a sanatorium in Koblenz am Rhein in 1942.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Karl Hamburger. 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 two accounts whose owner’s name matches that provided by the Claimant. Each account is identified below by its Account Identification Number, which is a number assigned to the account by the ICEP auditors for tracking purposes.

Accounts 1011663 and 1011664

The Bank's records indicate that the Account Owner was Karl Wilhelm Hamburger, who resided in Germany. The Bank's records also indicate the Account Owner's profession and city of residence. The Bank's records also indicate the name of a joint account owner and this person's city and country of residence. Furthermore, the Bank's records indicate the dates of closing of the accounts 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 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 her relative. Although the name of her uncle matches the published name of the Account Owner, the information provided by the Claimant differs from the unpublished information about the Account Owner available in the Bank's records. Specifically, according to the Claimant, her family resided in Frankfurt am Main, while the Bank's records show that the account Owner resided in a city, which is over 450 kilometers from Frankfurt am Main, which was not identified by the Claimant and to which the Claimant did not establish any connection. Furthermore, the Claimant did not indicate that her uncle had the middle name "Wilhelm," whereas the Bank's records show that the Account Owner had and used this middle name. Moreover, the Claimant did not identify the joint account owner, even though this person appears to be closely related to the Account Owner. Finally, the Bank's records indicate that the Account Owner held a professional title, which was not identified by the Claimant. 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, which 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
18 April 2006