

# CLAIMS RESOLUTION TRIBUNAL

---

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

## **Certified Denial**

to Claimant [REDACTED]  
represented by [REDACTED]

## **in re Accounts of Therese Hamburger**

Claim Number: 001103/AH

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published accounts of Therese 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 his paternal grandmother, Therese Hamburger, née Gusdorf, who was born in Germany, and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that his grandmother resided in Mannheim, Germany, and had two children: [REDACTED], the Claimant’s father, and [REDACTED]. In a telephone conversation with the CRT on 21 October 2002, the Claimant added that his grandfather, [REDACTED], owned a wholesale business in Mannheim. The Claimant stated that his grandmother, who was Jewish, was killed in the Holocaust. In a telephone conversation with the CRT on 10 October 2003, the Claimant stated that he did not know of any connection his grandmother may have had to any financial institution and stated that he possessed no further information regarding his grandmother. The Claimant stated that he was born on 19 November 1951 in Israel.

The Claimant submitted documents in support of his application, including his father’s birth certificate, showing that his parents were [REDACTED] and Therese Hamburger, née Gusdorf, both residents of Mannheim.

### **Information Available in the Bank’s Records**

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

#### Account 1010031 and 1010032

The Bank’s records indicate that the Account Owner was Therese Hamburger. The Bank’s records also indicate a name of a company associated with the accounts, which at some point joined in or took over the ownership of the accounts at issue. The Bank’s records also indicate the city in which the company was located and the type of business in which the company engaged. Furthermore, the Bank’s records indicate the dates of opening and 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 Account Owner as his relative. Although the name of his paternal grandmother 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 failed to identify the name of the company associated with the account, which at some point joined in or took over the ownership of the accounts. In addition, the Claimant indicated that his grandmother resided in Mannheim, where her family’s business was located. In contrast, the Bank’s records indicate that the company was located in a different city, over 500 kilometers away from Mannheim, to which the Claimant established no connection. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant’s paternal grandmother are the same person.

The CRT also notes that had the Claimant identified the Account Owner, he could not receive the proceeds of the accounts since upon the accounts closure, another entity owned the said accounts.

### 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 the Special Master, c/o Claims Resolution Tribunal, P.O. Box 9564, 8036 Zurich, Switzerland.

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  
9 March 2005