

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Henri Hermann

Claim Number: 600384/MBC¹

This Certified Denial is based on the claim of [REDACTED], formerly [REDACTED], (the “Claimant”) to the account of Henry Herman, formerly Heinrich Hermann.² This Denial is to the published accounts of Henri Hermann (the “Account Owner”) at the [REDACTED] (the “Bank”).³

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 to the Holocaust Claims Processing Office (“HCPO”) asserting that his father, Henry Herman, formerly Heinrich Hermann, who was born on 1 June 1899 in Horyhlady, Poland, and was married to [REDACTED], née [REDACTED], owned a Swiss bank account. The Claimant indicated that his father, who was Jewish, resided in Vienna, Austria, where he owned a textile business. The Claimant stated that his father fled Austria to France, where he was interned in a camp for displaced persons in Nantes. The Claimant stated that in March 1940, his father emigrated to the United States, where he worked as a cutter in a women’s

¹ The Claimant submitted a claim, numbered B-01343, on 8 September 1998, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 600384. The Claimant also submitted four Initial Questionnaires (“IQs”) with the Court in 1999. The CRT is treating the IQs and the HCPO claim under the consolidated Claim Number 600384. In the IQs, the Claimant also claimed accounts belonging to Martha Herman (Hermann), Golde Feuer, and Gerson Feuer. The CRT will treat the claim to these accounts in a separate determination.

² The CRT did not locate an account belonging to Henry Herman, or Heinrich Hermann, in the Account History Database prepared pursuant to the investigation of the ICEP, 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”).

³ The CRT notes that, on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons (“ICEP”) to be probably or possibly those of Victims of Nazi Persecution (the “ICEP List”), these accounts were published as having been held by *Hermann, Henri Arthur Marie*. Upon careful review, the CRT has concluded that the Bank’s records indicate that the Account Owner’s name was Henri Hermann.

clothing factory. The Claimant stated that his father died on 5 January 1995 in Allentown, Pennsylvania. The Claimant indicated that he was born on 27 October 1929 in Vienna, Austria.

The Claimant previously submitted four Initial Questionnaires with the Court in 1999, asserting his entitlement to a Swiss bank account owned by his maternal grandparents, [REDACTED] and [REDACTED], his mother, [REDACTED], and his father, Heinrich Hermann.

In support of his claim, the Claimant submitted his birth certificate, which indicates that his father was Heinrich Hermann from Vienna.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Henry Herman, formerly Heinrich Hermann. 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 owners' names match 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 5025398 and 5032448

The Bank's records indicate that the Account Owner was Henri Hermann, who resided in Paris, France. The Bank's records indicate the Account Owner's title, middle name, and street address, the name of a person who jointly held the accounts with the Account Owner, and the name and maiden name of the Account Owner's wife. Finally, the Bank's records contain the Account Owner's signature.

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 father is substantially similar to the published name of the Account Owner, the information provided by the Claimant differs materially from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that his father was married to [REDACTED], née [REDACTED]. In contrast, the Bank's records show that the Account Owner was married to a different person. Furthermore, the Claimant stated that his father resided in Vienna, Austria. In contrast, the

Bank's records indicate that the Account Owner resided in Paris, France. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father are the same person. Moreover, it should be noted that the CRT has awarded the accounts to another claimant, who plausibly identified the Account Owner as her relative. All decisions are published upon release on the CRT's website at www.crt-ii.org.

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 surname of the Account Owner identified above, 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
31 October 2005