

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

Claimed Account Owners: David Hess, Isidor Hess and Johanna Hess¹

Claim Number: 205268/RT

This determination is based on the claim of [REDACTED] (the “Claimant”) to a Swiss bank account potentially owned by David Hess, Isidor Hess and Johanna Hess. The CRT did not locate an account belonging to David Hess 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 Certified Denial is to a Swiss bank account potentially owned by the Claimant’s relatives, Isidor Hess and Johanna Hess (the “Claimed Account Owners”).

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 stating that Isidor Hess and Johanna Hess, who were married, were Jewish and resided in Hüttengesäss (now part of Ronneburg), Germany and Frankfurt am Main, Germany.

The CRT’s Investigation

The CRT matched the names of Isidor Hess and Johanna Hess to the names of all account owners in the Account History Database and identified accounts belonging to individuals whose names match, or are substantially similar to, the name of the Claimed Account Owners. In doing so, the CRT used advanced name matching systems and computer programs, and considered variations of names, including name variations provided by Yad Vashem, The Holocaust

¹ The Claimant should note that this determination relates only to the Claim Number and Claimed Account Owners stated above, and that the CRT is aware that the Claimant may have submitted other claims.

Martyrs' and Heroes' Remembrance Authority, in Jerusalem, Israel, to ensure that all possible name matches were identified. However, a close review of the relevant bank records indicated that the information contained therein was inconsistent with the information the Claimant provided regarding the Claimed Account Owners. Accordingly, the CRT was unable to conclude that any of these accounts belonged to the Claimed Account Owners.

The CRT's Analysis

Identification of the Account Owners

The list below contains names of account owners that match the names of the Claimed Account Owners and the reasons why the CRT has concluded that the Claimed Account Owners and an account owner are not the same person. If an account owner's place of residence was published, that place of residence is also listed.

Name: Isidor Hess (Saarbrücken, Germany)

Account Identification Number: 2015718

Specifically, the Claimant stated that her relative, Isidor Hess, resided in Hüttengesäss (Ronneburg), Germany and Frankfurt am Main, Germany. In contrast, the records show that the account owner resided in Saarbrücken, Germany, which is over 200 kilometers from Hüttengesäss (Ronneburg) and over 150 kilometers from Frankfurt am Main. The CRT notes that there are several other major cities significantly closer to Hüttengesäss than Saarbrücken and that Frankfurt am Main is a major urban center which is significantly bigger than Saarbrücken. The CRT therefore considers that it is unlikely that a resident of Hüttengesäss or Frankfurt am Main would indicate the distant city of Saarbrücken as their place of residence, even for the purposes of maintaining a Swiss bank account.

Name: Johanna Erwin Hess

Account Identification Number: 5029038

Specifically, the Claimant stated that her relative, Johanna Hess, was the account owner. The CRT notes that the Claimant has not identified the name "Erwin" which is included in the account owner's name. The CRT further notes that the account was previously awarded to another claimant who plausibly identified the account owner and the individual bearing the first name "Erwin" which is connected with the account owner.

The Claimant should note that all accounts awarded by the CRT are published upon release on the CRT's website at www.crt-ii.org.

Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"), the Claimant may appeal this decision or submit a request for reconsideration within ninety (90) days of the date of the letter accompanying this decision.

An appeal must be based upon a plausible suggestion of error regarding the CRT's conclusions set out in this decision. Any appeals which are submitted without a plausible suggestion of error shall be summarily denied. A request for reconsideration must be based on new documentary evidence not previously presented to the CRT that, if considered, would have led to a different outcome of the claim. Claimants should briefly explain the relevance of the newly submitted documents in view of the conclusions stated in the certified decision.

The Claimant should send appeals and/or requests for reconsideration in writing to the following address: Oren Wiener, Claims Resolution Tribunal, Attention: Appeals / Request for Reconsideration, P.O. Box 9564, 8036 Zurich, Switzerland. If more than one account has been treated in this decision, the Claimant should identify the account, including, where available, the Account Identification Number, that forms the basis of the appeal and/or request for reconsideration.

Scope of the Denial

The CRT now considers the Claimant's claim to the accounts of David Hess, Isidor Hess and Johanna Hess closed. Please note that this decision applies only to the Claim Number and Claimed Account Owners identified herein, and that the CRT is aware that the Claimant may have claimed accounts held by other persons or entities both in the Claim Number specified above and in other claims submitted to the CRT.

Certification of the Denial

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal
30 March 2007