

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of J. E. Hess jun.¹

Claim Number: 204879/MG

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the account of Jean Alexandre Hess. The CRT did not locate an account belonging to Jean Alexandre 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 Denial is to the published account of J. E. Hess jun. (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 are redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form asserting that her father, Jean-Alexandre (or Jean Alexandre) Hess, who was born on 12 August 1897 in Basel, Switzerland, and was married to [REDACTED], née [REDACTED], in Paris, France, on 9 November 1922, owned a Swiss bank account. The Claimant stated that her paternal grandparents were [REDACTED], née [REDACTED], and [REDACTED]. The Claimant stated that her father was an industrialist and that he was the director of a company named *Compagnie Française de Produits Industriels* (formerly known as *Société Nobel Française*). The Claimant further stated that her father resided in Paris and Asnières, France. The Claimant indicated that her father’s parents resided in Basel and that his sister resided in Zurich, Switzerland. According to the Claimant, her father was Jewish and was arrested in Marseille, France, on 22 January 1943. The Claimant explained that her father perished in the Sobibor extermination camp on an unknown date. The Claimant indicated that she was born in Paris on 11 June 1928.

¹ In an effort to locate any and all accounts that might have belonged to the Claimant’s relative, the CRT has reviewed and analyzed all accounts whose owners’ names are substantially similar to that of the Claimant’s relative, even if the Claimant did not specifically claim that particular account.

The Claimant submitted the documents in support of her application, including: (1) documents showing that her father was employed by the *Compagnie Française de Produits Industriels*; (3) her father's marriage certificate; (4) a document issued by the French Ministry of Justice on 25 October 1932 showing that the Claimant's father was a French national; (5) her father's birth certificate; and (6) a letter from the Claimant's father.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her father, Jean-Alexandre Hess. The auditors who carried out the ICEP Investigation reported one account whose owner's name is substantially similar to 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 1000817

The Bank's records indicate that the Account Owner was J. E. Hess jun.

The CRT's Analysis

Admissibility of the Claim

The CRT has determined that the claim is admissible according to Article 18 of the Rules.

Identification of the Account Owner

The CRT concludes that the Claimant has not identified Account Owner J. E. Hess jun. as her relative. Although the name of her father is substantially similar to 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, the CRT notes that the Claimant's father's middle name initial does not match the middle name initial of the Account Owner. In addition, the CRT notes that since the Account Owner was referred to as "jun." it is likely that the Account Owner's father's name was J. E. Hess. However, the Claimant stated that her grandfather's name was Emmanuel Hess, which does not match the name J. E. Hess. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father 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 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 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
13 October 2004