

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

**Claimed Account Owners: Arthur Hoffmann, Chavah Saks, Bernard Hoffman<sup>1</sup>**

Claim Number: 779159/NB

This determination is based on the claim of [REDACTED] (the “Claimant”) to Swiss bank accounts potentially owned by Arthur Hoffmann, Chavah Saks, and Bernard Hoffman. The CRT did not locate an account belonging to Chavah Saks (Hoffman) and Bernard Hoffman 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 relative, Arthur Hoffmann (the “Claimed Account Owner”).

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 her relative, Arthur Hoffmann, who was Jewish, resided in Horinčevo, Czechoslovakia (Hungary, between 1939 and 1945, now Ukraine).

### **The CRT’s Investigation**

The CRT matched the name of Arthur Hoffmann, to the names of all account owners and power of attorney holders in the Account History Database and identified accounts belonging to individuals or over which individuals held power of attorney whose names match, or are substantially similar to, the name of the Claimed Account Owner. 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 Martyrs’ and Heroes’

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<sup>1</sup> 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.

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 Owner. Accordingly, the CRT was unable to conclude that any of these accounts belonged to the Claimed Account Owner.

## **The CRT's Analysis**

### Identification of the Account Owner/Power of Attorney Holder

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

*Name: A. Hoffmann (power of attorney holder)*

*Account Identification Number: 5029412*

*Specifically, the Claimant stated that her relative Arthur Hoffmann resided in Horinčovo, Czechoslovakia (Hungary, between 1939 and 1945, now Ukraine). In contrast, the records show that the power of attorney holder had a different first name and resided in a different country. The CRT further notes that the Claimant did not identify the account owner, and that under Swiss law, a power of attorney holder is not considered to be the owner of an account. After a power of attorney holder dies, his or her powers in an account no longer exist, and they do not pass to his or her heirs. Therefore, even if the Claimant had identified the power of attorney holder, but not the account owner, as their relative, the Claimant would not have been entitled to the account unless there was evidence in the bank's records that the power of attorney holder and the account owner were related.*

The CRT has taken utmost care in matching the names of the person identified by the Claimant as a possible account owner to names of actual account owners identified in the Account History Database prepared pursuant to the ICEP Investigation, which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules. The CRT has reviewed this claim carefully and analyzed matches to account owners/power of attorney holders with alternative spellings of Arthur Hoffman's last name, which include Hofmann, and has determined that these accounts did not belong to the Claimed Account Owners.

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](http://www.crt-ii.org).

### Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of 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 Arthur Hoffmann, Chavah Saks, and Bernard Hoffman 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  
12 February 2010