

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant Shlomo Ramon

## **in re Account of Oskar Huppert**

Claim Number: 000507/RS

This Certified Denial is based upon the claim of Shlomo (Solomon) Ramon (the “Claimant”) to the published account of Oskar Huppert (the “Account Owner”) at the Zurich branch of the [REDACTED] (the “Bank”).

All denials are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

### **Information Provided by the Claimant**

The Claimant submitted a Claim Form identifying the Account Owner as his maternal grandmother’s brother, Oscar Huppert, who was born in the former Czechoslovakia, although he did not specify in which city. The Claimant stated that his great-uncle, who was Jewish, also lived in Czechoslovakia prior to the Second World War. The Claimant explained that his great-uncle was a businessman and that he frequently traveled to Switzerland. The Claimant did not indicate the fate of Oscar Huppert during the Second World War.

The Claimant submitted copies of: (1) his own birth certificate, indicating that Solomon Wenzelberg was born on 12 October 1928 in Ciecina, Poland to Moshe Wenzelberger and Helena Ferber, that he was Jewish, and that his mother Helena Ferber was the daughter of Solomon Ferber and Hana Ferber, née Huppert; and (2) his change of name certificate, dated 14 September 1961, indicating that Solomon Wenzelberg changed his name to Shlomo Ramon.

The Claimant previously submitted an Initial Questionnaire (“IQ”) to the Court in 1999, asserting his entitlement to a Swiss bank account owned by Alex Lindenberg.<sup>1</sup>

The Claimant indicated that he was born on 5 October 1928 in Ciecina, Poland.

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<sup>1</sup> The CRT did not locate an account belonging to Alex Lindenberg 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”).

## **Information Available in the Bank's Record**

The Bank's record consists of a customer card. According to this record, the Account Owner was Dr. Oscar Huppert who resided in Brno, Czechoslovakia,<sup>2</sup> and at Freiestrasse 16 in Zurich, Switzerland. The Bank's record indicates that the Account Owner held a demand deposit account, which was opened on 30 June 1938. The Bank's record further indicates that the account was closed on 31 January 1939. The amount in the account on the date of its closure is unknown.

## **The CRT's Analysis**

### Identification of the Account Owner

The Claimant's great-uncle's name and country of residence match the published name and country of residence of the Account Owner.

The CRT notes that the name Oskar Huppert appears only once on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons to be probably or possibly those of victims of Nazi persecution ("ICEP" or the "ICEP List").

Finally, the CRT notes that the other claim to this account was disconfirmed because that claimant provided different cities of residence than the cities of residence of the Account Owner.

Taking all of these factors into account, the CRT concludes that the Claimant has plausibly identified the Account Owner.

### Status of the Account Owner as a Victim of Nazi Persecution

The Claimant has made a plausible showing that the Account Owner was a Victim of Nazi Persecution. The Claimant stated that the Account Owner was Jewish and that he resided in Nazi-occupied Czechoslovakia.

The CRT notes that a database containing the names of victims of Nazi persecution includes a page of testimony submitted by the Claimant in 1999, which indicates that Ana (Hana) Ferber, née Huppert, of Krakow, Poland, was deported to Auschwitz, where she perished in 1943. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel.

### The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is related to the Account Owner by submitting specific information, demonstrating that the Account Owner was the Claimant's maternal grandmother's brother.

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<sup>2</sup> Bruno (Brünn), Czechoslovakia is now part of the Czech Republic.

The CRT further notes that the Claimant submitted a copy of his own birth certificate, which provides independent verification that the Claimant's relative bore the same family name as the Account Owner. Finally, the CRT notes that the foregoing information is of the type that family members would possess and indicates that the Account Owner was well known to the Claimant as a family member, and all of this information supports the plausibility that the Claimant is related to the Account Owner, as he has asserted in his Claim Form.

There is no information to indicate that the Account Owner has other surviving heirs.

#### The Issue of Who Received the Proceeds

The Bank's records indicate that the account was closed on 31 January 1939. The CRT notes that the Nazis occupied Brno, which was located in Bohemia and Moravia, on 15 March 1939. As the account was closed over a month before the Nazi occupation of Brno, the CRT concludes that the Account Owner closed the account and received the proceeds himself.

#### 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.

#### **Certification of the Denial**

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal  
3 June 2009