

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

**Claimed Account Owners: Adolf Immerglück, Albina Lindenbaum, Jozef Reibscheid,
Henryk Immerglück and Teofila Reibscheid¹**

Claim Numbers: 214176/RT; 214177/RT; 214178/RT; 214179/RT

This determination is based on the claims of [REDACTED] (the “Claimant”) to Swiss bank accounts potentially owned by Adolf Immerglück, Albina Lindenbaum, Jozef Reibscheid, Henryk Immerglück and Teofila Reibscheid. The CRT did not locate an account belonging to Albina (Marie) Lindenbaum (Reibscheid), Jozef Reibscheid, Henryk (Adolf) Immerglück (Immergluck) and Teofila Reibscheid (Immerglück) 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, Adolf Immerglück (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 Adolf Immerglück was a relative, perhaps his great-uncle Henryk Immerglück, who might have used Adolf as a first or middle name. The CRT notes that in his ATAG Ernst and Young claim, the Claimant did not indicate that his relative Henryk Immerglück used the first or middle name of Adolf. The CRT further notes that the Claimant did not provide any further details about Adolf Immerglück. The Claimant did indicate that Adolf Immerglück might have been a power of attorney holder for Albina Lindenbaum, Jozef Reibscheid, Henryk Immerglück or Teofila Reibscheid, who were Jewish.

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.

The CRT's Investigation

The CRT matched the name of Adolf Immerglück 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' 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 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 are not the same person. If an account owner's place of residence was published, that place of residence is also listed.

Name: Adolf Immerglück (Power of Attorney Holder); Mme. Sida Wald (Krakow, Poland)

Account Identification Numbers: 5030574; 5031107; 5033359

Specifically, the Claimant indicated that his relative, Adolf Immerglück, resided in Poland and acted as the representative for other family members. In contrast, the records show that the power of attorney holder resided in a different country. The CRT further notes that the Claimant did not identify the account owner and that the records do not indicate that the power of attorney holder and the account owner were related. 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 do not longer exist, and they do not pass to his or her heirs. Therefore, even if the Claimant had identified the power of attorney holder, the Claimant would not have been entitled to the account.

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, 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 Adolf Immerglück, Albina Lindenbaum, Jozef Reibscheid, Henryk Immerglück and Teofila Reibscheid 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
23 June 2008