

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]  
represented by Stephan Hofert

## **in re Account of Richard Israel**

Claim Number: 500681/NP<sup>1</sup>

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published account of Richard Israel (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 have been redacted.

## **Information Provided by the Claimant**

The Claimant submitted a Claim Form, asserting that his grandfather, Richard Israel, who was born on 1 September 1869 and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that his grandfather, who was Jewish, owned and resided at a substantial manor estate in Schulzendorf, which was located approximately 25 kilometers south of Berlin, Germany. The Claimant stated that the estate, where his grandfather had resided since 1890, was sold to the city of Berlin by way of a forced sale in 1939. The Claimant further stated that his grandfather had his last known residence in Berlin. The Claimant stated that his grandfather perished on 22 March 1943 upon arrival at the concentration camp Theresienstadt. The Claimant indicated that he was born on 3 July 1926 in Germany.

The Claimant previously submitted an Initial Questionnaire to the Court in 1999, asserting his entitlement to a Swiss bank account owned by Richard Israel.

The Claimant submitted documents in support of his application, including an excerpt from a court decision, delineating the fate of the family manor estate property.

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<sup>1</sup> The Claimant submitted an Initial Questionnaire to the Court in 1999 and a Claim Form to the CRT. The CRT is treating the Initial Questionnaire and the Claim Form under the consolidated Claim Number 500681.

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

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Richard Israel. The auditors who carried out the investigation to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons ("ICEP" or the "ICEP Investigation") reported one account whose owner's name matches 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 1008903

The Bank's records indicate that the Account Owner was Richard Israel, who resided in Germany. The Bank's records also indicate the Account Owner's city of residence. Furthermore, the Bank's records indicate the dates of opening and closing of the account at issue.

## **The CRT's Analysis**

### Admissibility of the Claim

The CRT has determined that the claim is admissible according to Article 18 of the Rules Governing the Claims Resolution Process, as amended (the "Rules").

### Identification of the Account Owner

The CRT concludes that the Claimant has not identified Account Owner Richard Israel as his relative. Although the name of his grandfather matches the published name of the Account Owner, the information provided by the Claimant differs from the unpublished information about the Account Owner in the Bank's records. Specifically, the Claimant stated that his grandfather resided in Schulzendorf and Berlin. In contrast, the Bank's records show that the Account Owner resided in a different major German city, which is more than 150 kilometers from either Schulzendorf or Berlin, and to which the Claimant's grandfather had no connection. The CRT notes that the Claimant's grandfather's city of residence, Berlin, is also a major German city, and that Schulzendorf is very close to Berlin, rendering it unlikely that the Claimant's grandfather would indicate a different, distant metropolis as his city of residence, including for purposes of maintaining a bank account. Moreover, the city named in the Bank's records is smaller than Berlin and located in another German state ("*Land*"). Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandfather 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 Special Master Michael Bradfield, 51 Louisiana Ave., NW, Washington, DC 20001 USA.

The Claimant should send appeals in writing to the above address and should include all reasons for 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 his 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  
9 November 2006