

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of S. Jacob

Claim Numbers: 214760/LV; 601633/LV^{1,2}

This Certified Denial is based on the claims of [REDACTED], née [REDACTED], (the “Claimant”) to an account of Simen (Shiman) Jacob (Jakob).³ This Denial is to the published accounts of S. Jacob (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 her maternal grandfather, Simen (Shiman) Jacob (Jakob), who was born in 1874 in Poland, and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that her grandfather resided in Poland and Hungary, and that he was a businessman in the oil industry. The Claimant stated further that in 1940 her grandfather, who was Jewish, was deported to a concentration camp, where he was murdered. The Claimant indicated that she was born on 12 October 1924 in Kenece, Hungary.

In support of her application, the Claimant submitted her own birth certificate, which identifies her parents as [REDACTED] and [REDACTED], née [REDACTED], and indicates that she was born in Kenece.

¹ The Claimant submitted a claim, numbered B-01252, on 10 September 1998, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 601633. The Claimant submitted additional claims to the accounts of Blime (Bluma) Elbogen, née Goldstein, Ilona Elbogen, Jeno (Joyne, Jonas, Jonah) Feigenbaum (Ellenbogen), Abraham Elbogen, and Gabor (Gavriel, Chaim) Elbogen (Ellenbogen, Feigenbaum), which are registered under the Claim Numbers 601633, 210736, and 214721. The CRT will treat the claims to these accounts in separate determinations.

² According to Article 37 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the two claims of the Claimant in one proceeding.

³ The CRT did not locate an account belonging to Simen (Shiman) Jacob (Jakob) in the Account History Database prepared pursuant to the investigation of the Independent Committee of Eminent Persons (“ICEP” or the “ICEP Investigation”), which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules.

The Claimant previously submitted two Initial Questionnaires with the Court in 1999 and two ATAG Ernst & Young claim forms in 1998, asserting her entitlement to a Swiss bank account owned by Jenö (Joyne, Jonas) Feigenbaum (Ellenbogen), Abraham Elbogen, Blime (Bluma) Elbogen, née Goldstein, and Gabor (Gavriel, Chaim) Elbogen (Ellenbogen, Feigenbaum).

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Simen (Shiman) Jacob (Jakob). 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 two accounts whose owner's name matches that provided by the Claimant. Each account is identified below by its Account Identification Number, which is a number assigned to the account by the ICEP auditors for tracking purposes.

Accounts 1011233 and 1011234

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

The CRT's Analysis

Admissibility of the Claims

The CRT has determined that the claims are 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 the Account Owner as her relative. Although the Claimant's grandfather's first initial and last name match the published first initial and the last name of the Account Owner, the information provided by the Claimant differs materially from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her grandfather resided in Poland and Hungary, and that he was a businessman in the oil industry. In contrast, the Bank's records show that the Account Owner resided in Germany and practiced a different profession. 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. If more than one account has been denied in this Certified Denial, the Claimant should identify the Account Identification Number, which 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
31 October 2005