

# CLAIMS RESOLUTION TRIBUNAL

---

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

## **Certified Denial**

to Claimant [REDACTED]

**in re Accounts of Alice Kahn**

Claim Number: 601271/AX<sup>1,2</sup>

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to an account of [REDACTED], née [REDACTED]. This Denial is to the published account of Alice Kahn (“Account Owner 1”), and to the unpublished account of Alice Kahn (“Account Owner 2”), both at the [REDACTED] (the “Bank”).<sup>3</sup>

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 owners, and the bank have been redacted.

## **Information Provided by the Claimant**

The Claimant submitted a claim to the Holocaust Claims Processing Office (“HCPO”) asserting that her aunt, [REDACTED], née [REDACTED], who was born on 23 March 1892, and was married to [REDACTED] on 5 June 1909, owned a Swiss bank account. The Claimant indicated that her aunt, who was Jewish, lived in Stuttgart, Germany, where her husband was a bank director. The Claimant further indicated that her aunt died on 26 April 1942. The Claimant indicated that she was born on 5 February 1926 in Karlsruhe, Germany.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by [REDACTED] and [REDACTED].

---

<sup>1</sup> The Claimant submitted a claim, numbered B-00112, on 26 September 1997, 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 601271.

<sup>2</sup> In her HCPO claim, the Claimant also claimed an account belonging to [REDACTED]. The CRT will treat the claim to this account in a separate determination.

<sup>3</sup> The CRT did not locate an account belonging to [REDACTED] 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 Records**

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, [REDACTED], née [REDACTED]. 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 owners' names match 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.

### Account 5032845

The Bank's records indicate that Account Owner 1 was Alice Kahn, who resided in Mulhouse, France. The Bank's records also indicate Account Owner 1's street address and maiden name. In addition, the Bank's records indicate the dates of opening and closing of the account at issue.

### Account 5026548

The Bank's records indicate that Account Owner 2 was Alice Kahn. The Bank's records also indicate Account Owner 2's city and country of residence, and the name of another individual who jointly held the account at issue with Account Owner 2. Furthermore, the Bank's records indicate Account Owner 2's marital status.

## **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 Owners

As for Account 5032845, the CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Although the name of her aunt matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 1 contained in the Bank's records. Specifically, the Claimant indicated that her aunt resided in Germany, and that her maiden name was [REDACTED]. In contrast, the Bank's records indicate that Account Owner 1 resided in France, and that she had a different maiden name. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's aunt are the same person.

As for Account 5026548, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the name of her aunt matches the unpublished name of Account Owner 2, the information provided by the Claimant differs materially from the unpublished information about Account Owner 2 contained in the Bank's records. Specifically,

the Claimant indicated that her aunt resided in Germany. In contrast, the Bank's records indicate that Account Owner 2 resided in a different country. Furthermore, the CRT notes that the Claimant did not identify the individual who jointly held the account at issue with Account Owner 2, even though that person appears to be related to Account Owner 2. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's aunt are the same person.

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 investigation of the ICEP Investigation, which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules. The CRT uses advanced name matching systems that consider variations of names, including name variations provided by Yad Vashem, Israel, to ensure that all possible name matches are identified. The CRT has reviewed this claim carefully and analyzed matches to accounts belonging to account owners with alternative spellings of Kahn, which include Kohn, and has determined that these accounts do not belong to the Claimant's relative.

### 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, or the alternative surname of the Account Owner identified above, 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  
21 September 2005