

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant David Katz

in re Accounts of David Katz

Claim Number: 000501/AY¹

This Certified Denial is based on the claim of David Katz (the “Claimant”) to an account of David Katz. This Denial is to the published and unpublished accounts of David Katz (“Account Owner 1”) at the [REDACTED] (“Bank 1”) and to the published account of David Katz (“Account Owner 2”) at the [REDACTED] (“Bank 2”).

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 and an Initial Questionnaire (“IQ”) asserting that he, David Katz, who was born on 15 February 1916 in Czechoslovakia, to Chaim and Chaya Katz, owned a Swiss bank account. The Claimant indicated that he resided in Abrud, Romania, where his family owned cattle and wagons used for a transportation business. The Claimant further indicated that he served in the Romanian army from 1939 until 1941, when he was sent to a forced labor camp. The Claimant further indicated that he was released from that camp in 1944. In a telephone conversation with the CRT on 21 November 2002, the Claimant stated that he emigrated to Israel in 1960. The Claimant, who is Jewish, resides today in Israel.

The Claimant previously submitted an IQ with the Court in 1999, asserting his entitlement to a Swiss bank account owned by himself.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to himself, David Katz. 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

¹ The Claimant submitted Initial Questionnaires with the Court in 1999 and a Claim Form to the CRT. The CRT is treating the Initial Questionnaires and the Claim Form under the consolidated Claim Number 000501.

by the Claimant. Upon review of the bank documents, the CRT also located five additional accounts that were not reported by the auditors. 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 1010221, 1010221.1, 1010221.2, 1010221.3, 1010221.4 and 1010221.5

Bank 1's records indicate that Account Owner 1 was David Katz, who resided in France. Bank 1's records indicate Account Owner 1's city of residence, his prior city of residence and his profession. Furthermore, the Bank's records indicate the dates of opening and closing of the accounts at issue.

Account 3018990

Bank 2's records indicate that Account Owner 2 was David Katz, who resided in Palestine.

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 Accounts 1010221, 1010221.1, 1010221.2, 1010221.3, 1010221.4 and 1010221.5, the CRT concludes that the Claimant has not identified Account Owner 1 as himself. Although his name 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 available in Bank 1's records. Specifically, the Claimant stated that he was born in 1916 in Czechoslovakia, and resided in Abrud, Romania, where his family was in the cattle and transportation business. In contrast, Bank 1's records show that Account Owner 1 resided in France and in another country to which the Claimant did not establish any connection. Furthermore, Bank 1's records show that Account Owner 1 had a different occupation than the Claimant. Consequently, the CRT is unable to conclude that the Account Owner 1 and the Claimant are the same person.

As for Account 3018990 the CRT concludes that the Claimant has not identified Account Owner 2 as himself. Although his name matches the published name of Account Owner 2, the information provided by the Claimant differs materially from the unpublished information about Account Owner 2 available in Bank 2's records. Specifically, the Claimant stated that he resided in Abrud, Romania, and emigrated to Israel in 1960. In contrast, Bank 2's records show that Account Owner 2 resided in Palestine many years before 1960. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant are the same person. Moreover, it should be noted that the CRT has awarded the accounts to another claimant who plausibly

identified the Account Owner as himself. All decisions are published upon release on the CRT's website at www.crt-ii.org.

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 the Special Master, c/o Claims Resolution Tribunal, P.O. Box 9564, 8036 Zurich, Switzerland.

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 that 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 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
13 October 2004