

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED 1]
also acting on behalf of [REDACTED 2]

in re Account of Else Katz

Claim Number: 215620/SB

This Certified Denial is based on the claim of [REDACTED 1], née [REDACTED], (the “Claimant”) to the accounts of Else and Hugo Katz. The CRT did not locate an account belonging to Hugo Katz 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 Denial is to the published account of Else Katz (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 grandmother, Else Katz, née Moda, who was born on 1 August 1883 in Germany, and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that her grandmother, who was Jewish, resided in Berlin, where her grandparents owned a crate and box factory. The Claimant continued that, fearing Nazi persecution, her grandparents deposited all their assets in Switzerland, before moving to the United States. The Claimant stated that her grandmother died on 26 November 1971 in San Antonio, Texas, the United States. The Claimant indicated that she was born on 20 July 1953 in Jackson, Mississippi, the United States.

The Claimant submitted documents in support of her claim, including: (1) her birth certificate, which indicates that her father was Herbert Katz; (2) her father’s death certificate which indicates that his parents were [REDACTED] and Else Katz, née Moda; (3) her grandmother’s United States Certificate of Naturalization.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Else Katz. The auditors who carried out 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 1000450

The Bank's records indicate that the Account Owner was Else Katz, who resided in Berlin, Germany. The Bank's records also indicate the Account Owner's street address and maiden name.

The CRT's Analysis

Admissibility of the Claim

The CRT has determined that the claim is admissible according to Article 18 of the Rules.

Identification of the Account Owner

The CRT concludes that the Claimant has not identified the Account Owner as her relative. Although the name of her grandmother matches the published name of the Account Owner, the information provided by the Claimant differs materially from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her grandmother's maiden name was Moda. In contrast, the Bank's records show that the Account Owner had a different maiden name. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandmother 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 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 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
10 December 2004