

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

Claimed Account Owners: David Klein and Haskel Klein¹

Claim Number: 753458/GO

This determination is based on the claim of [REDACTED] (the “Claimant”) to a Swiss bank account potentially owned by David Klein and Haskel Klein. The CRT did not locate an account belonging to Haskel Klein 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 Certified Denial is to a Swiss bank account potentially owned by the Claimant’s relative, David (M.) Klein (the “Claimed Account Owner”).

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 stating that David Klein, who was Jewish, resided in Vranov nad Toplou, Czechoslovakia (today Slovakia), where he was the co-owner of a retail business for bicycles and sewing machines. The Claimant did not indicate any other place of residence for his relative. The Claimant also did not provide any further information or documentation regarding David Klein.

The CRT’s Investigation

The CRT matched the name of David (M.) Klein to the names of all account owners in the Account History Database and identified accounts belonging to individuals whose names match, or are substantially similar to, the name of the Claimed Account Owner. In doing so, the CRT

¹ The Claimant should note that this determination relates only to the Claim Number and Claimed Account Owners stated above, and that the CRT is aware that the Claimant may have submitted other claims.

used advanced name matching systems and computer programs, and considered variations of names, including name variations provided by Yad Vashem, The Holocaust Martyrs' and Heroes' Remembrance Authority, in Jerusalem, Israel, to ensure that all possible name matches were identified. However, a close review of the relevant bank records indicated that the information contained therein was inconsistent with the information the Claimant provided regarding the Claimed Account Owner. Accordingly, the CRT was unable to conclude that any of these accounts belonged to the Claimed Account Owner.

The CRT's Analysis

Identification of the Account Owner

The list below contains names of account owners that match the name of the Claimed Account Owner and the reasons why the CRT has concluded that the Claimed Account Owner and an account owner are not the same person. If an account owner's place of residence was published, that place of residence is also listed.

Name: David Klein (V. Koslciach, Czechoslovakia)

Account Identification Number: 5034618

Specifically, the Claimant stated that her relative, David Klein, resided in Vranov nad Toplou, where he was the co-owner of a retail business for bicycles and sewing machines. The Claimant did not provide any further information or documentation regarding David Klein. In contrast, the records show that the account owner was from Kosice (V. Koslciach, meaning "from Kosice"), Czechoslovakia (today Slovakia), which is over 50 kilometers from Vranov nad Toplou. The CRT notes that this account was treated in a decision to another, unrelated claimant, who plausibly identified the account owner as his relative who resided in Kosice. The CRT further notes that in that decision, the account was determined to have been closed approximately two years prior to both 20 November 1940 and 24 November 1940, when Hungary and Slovakia (that part of the former Czechoslovakia in which Košice had been located), respectively, became signatories to the Tripartite Treaty, pursuant to which they became members of the Axis alliance. Therefore, the CRT concluded that the account owner was able to access the account and close and receive the proceeds of the claimed account himself.

The Claimant should note that all decisions are published upon release on the CRT's website at www.crt-ii.org.

Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"), the Claimant may appeal this decision or submit a request for reconsideration within ninety (90) days of the date of the letter accompanying this decision.

An appeal must be based upon a plausible suggestion of error regarding the CRT's conclusions set out in this decision. Any appeals which are submitted without a plausible suggestion of error shall be summarily denied. A request for reconsideration must be based on new documentary

evidence not previously presented to the CRT that, if considered, would have led to a different outcome of the claim. Claimants should briefly explain the relevance of the newly submitted documents in view of the conclusions stated in the certified decision.

The Claimant should send appeals and/or requests for reconsideration in writing to the following address: Oren Wiener, Claims Resolution Tribunal, Attention: Appeals / Request for Reconsideration, P.O. Box 9564, 8036 Zurich, Switzerland. If more than one account has been treated in this decision, the Claimant should identify the account, including, where available, the Account Identification Number, that forms the basis of the appeal and/or request for reconsideration.

Scope of the Denial

The CRT now considers the Claimant's claim to the accounts of David Klein and Haskel Klein closed. Please note that this decision applies only to the Claim Number and Claimed Account Owners identified herein, and that the CRT is aware that the Claimant may have claimed accounts held by other persons or entities both in the Claim Number specified above and in other claims submitted to the CRT.

Certification of the Denial

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal
12 February 2010