

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

## **in re Accounts of Adolf Koch**

Claim Number: 501074/SB<sup>1</sup>

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published accounts of Adolf Koch (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 his maternal uncle by marriage, Adolf Koch, who was born on 4 January 1873 in Mainz, Germany, and was married to [REDACTED] on 24 October 1926 in Hanover, Germany, owned a Swiss bank account. The Claimant stated that his uncle, who was Jewish, was an insurance agent who resided in Mainz and Essen, Germany, until 1933, when he fled Germany to Palestine (today Israel). The Claimant further stated that his uncle died on 31 July 1960 in Haifa, Israel. The Claimant indicated that he was born on 29 April 1917 in Germany.

### **Information Available in the Bank’s Records**

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Adolf Koch. 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.

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<sup>1</sup> The Claimant submitted an additional claim, which is registered under the Claim Number 208265. In a separate decision, the CRT awarded the accounts of Joseph Berliner to the Claimant. See *In re Accounts of Joseph Berliner and Klara Berliner* (approved on 4 July 2005).

## Accounts 5025147 and 5035001

The Bank's records indicate that the Account Owner was Adolf Koch, who resided in Germany. The Bank's records also indicate another two cities and countries of residence for the Account Owner.

### **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 Owner

The CRT concludes that the Claimant has not identified the Account Owner as his relative. Although the name of his uncle 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 his uncle resided in Germany until 1933, when he fled to Palestine. In contrast, the Bank's records show that the Account Owner resided in Germany and in two other countries, which the Claimant did not identify. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's uncle 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 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  
8 August 2006