

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

**in re Account of Heinrich Krämer  
and  
Account of Josef Kraemer  
and  
Account of Anna Kramer**

Claim Numbers: 500851/MG; 714838/MG<sup>1</sup>

This Certified Denial is based on the claims of [REDACTED] (the “Claimant”) to the accounts of Heinrich (Josef, Jindrich) Krämer and Anna Kramer. This Denial is to the published account of Heinrich Krämer (“Account Owner 1”) at the [REDACTED] (“Bank 1”), to the unpublished account of Josef Kraemer (“Account Owner 2”) at the [REDACTED] (“Bank 2”), and to the published account of Anna Kramer (“Account Owner 3”) at the [REDACTED] (“Bank 3”).<sup>2,3</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 owner, and the bank have been redacted.

## **Information Provided by the Claimant**

The Claimant submitted a Claim Form and an Initial Questionnaire, asserting that her father, Heinrich Krämer, who was born on 20 June 1895 in Ludgerovice, today the Czech Republic, and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that her father, who was Jewish, was a businessman who resided in Czechoslovakia. The Claimant further stated that in 1939 her father was sent to a slave labor camp and that later he was deported to Theresienstadt and Auschwitz, where he perished in 1944. The Claimant also asserted that her father’s sister, Anna Kramer, owned a Swiss bank account. The Claimant stated

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<sup>1</sup> According to Article 37 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the two claims of the Claimant in one proceeding.

<sup>2</sup> The CRT did not locate an account belonging to Jindrich Krämer 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.

<sup>3</sup> In these claims, the Claimant also claimed the account of Salmon Kramer. The CRT will treat the claim to this account in a separate determination.

that her aunt resided in Czechoslovakia. The Claimant indicated that she was born on 7 June 1928 in Ostrava, today the Czech Republic.

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

The CRT notes that the Claimant submitted claims to accounts belonging to her relatives, Heinrich Krämer and Anna Kramer. 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 three accounts whose owners' names match those 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 5030145

Bank 1's records indicate that Account Owner 1 was Heinrich Krämer, who resided in Oberliblar, Germany and that the Power of Attorney Holder was Margarete Krämer. Bank 1's records also indicate Account Owner 1's street address and the date of opening of the account at issue. Finally, Bank 1's records contain Account Owner 1's and the Power of Attorney Holder's signatures.

#### Account 2014876

Bank 2's records indicate that Account Owner 2 was Josef Kraemer. Bank 2's records also indicate Account Owner 2's street address, city and country of residence.

#### Account 1012569

Bank 3's records indicate that Account Owner 3 was Anna Kramer, who resided in Konstanz, Germany. Bank 3's records also indicate Account Owner 3's maiden name and marital status.

### **The CRT's Analysis**

#### Admissibility of the Claim

The CRT has determined that the claims are 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 5030145, the CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Although the name of her father matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the published information about Account Owner 1 available in Bank 1's records. Specifically, the

Claimant stated that her father resided in Czechoslovakia until his deportation. In contrast, Bank 1's records show that Account Owner 1 resided in Germany. The CRT also notes that the Claimant did not identify the published Power of Attorney Holder. Consequently, the CRT is unable to conclude that Account 1 and the Claimant's father are the same person.

As for Account 2014876, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the name of her father matches the unpublished 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 her father resided in Czechoslovakia until his deportation. In contrast, Bank 2's records show that Account Owner 2 resided in a different country. Consequently, the CRT is unable to conclude that Account 2 and the Claimant's father are the same person.

As for Account 1012569, the CRT concludes that the Claimant has not identified Account Owner 3 as her relative. Although the name of her aunt matches the published name of Account Owner 3, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 3 available in Bank 3's records. Specifically, the Claimant stated that her aunt resided in Czechoslovakia. In contrast, Bank 3's records show that Account Owner 3 resided in Germany. Moreover, according to the Claimant her aunt's maiden name was Kramer, whereas Bank 3's records show that Account Owner 3 had a different maiden name. Consequently, the CRT is unable to conclude that Account 3 and the Claimant's aunt are the same person.

#### Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of 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 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  
23 March 2007