

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Walter Lachman

in re Accounts of Anna Lachmann

Claim Number: 206405/SB¹

This Certified Denial is based on the claim of Walter Lachman (the “Claimant”) to the published accounts of Anna Lachmann (the “Account Owner”) at the [REDACTED] (the “Bank”).

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 asserting that his paternal grandmother, Anna Lachmann, née Engel, who was born on 3 July 1869 and was married to Louis Lachmann, owned a Swiss bank account. The Claimant indicated that his grandmother, who was Jewish, lived in Berlin until her death on 22 October 1931. The Claimant further stated that his parents and siblings were murdered by the Nazis during the Second World War. The Claimant indicated that he was born on 26 May 1928 in Berlin, Germany.

The Claimant submitted documents in support of his claim, including a document certifying his grandmother’s date and place of death.

Information Available in the Bank’s Records

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

¹ The Claimant submitted a claim, numbered B-00020, on 18 September 1997, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 601265. The CRT treated this claim in a separate determination. The Claimant submitted an additional claim, which is registered under the Claim Number 400933. The CRT will treat this claim in a separate determination.

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.

Accounts 1010371 and 1010372

The Bank's records indicate that the Account Owner was Anna Lachmann, who resided in Germany. The Bank's records also indicate the Account Owner's city of residence and that the Account Owner held a title. Furthermore, the Bank's records indicate the dates of opening and closing of the accounts at issue.

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 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 his grandmother died in 1931. In contrast, the Bank's records show that the Account Owner was still alive several years later. The CRT also notes that the Claimant stated that his grandmother resided in Berlin, whereas the Bank's records indicate that the Account Owner resided in another city, which is over 200 kilometers from Berlin. 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 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
23 February 2006