

CLAIMS RESOLUTION TRIBUNAL

In re Holocaust Victim Assets Litigation

Case No. CV96-4849

Certified Denial

to Claimant [REDACTED]

Claimed Account Owner: Pinchas Landerer¹

Claim Number: 150120/NB

This Certified Denial is to the Claim of [REDACTED] (the “Claimant”) to a Swiss bank account potentially owned by the Claimant’s grandfather, Pinchas (Jürg) Landerer (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 Form stating that his grandfather, Pinchas Landerer, resided in Slovakia/Austro-Hungary and moved to southern Germany after the First World War for business reasons. The Claimant did not specify where in southern Germany his relative resided after the First World War. The Claimant further stated that his grandfather also used the name Jürg as a first name. In support of his claim, the Claimant provided several documents, including his father’s birth certificate, which indicate that his grandfather’s first name was Pinchas and that he resided in Bordejov, Slovakia. These documents do not indicate any alternative first names or any middle names used by his grandfather or any other countries of residence.

The CRT’s Investigation

The CRT matched the name of Pinchas (Jürg) Landerer 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 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

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

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 this account 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 the account owner are not the same person. If the account owner's place of residence was published, that place of residence is also listed.

Name: Jörg Landerer (Tettwang, Germany)

Account Identification Number: 4023603

Specifically, the Claimant stated that his relative, Pinchas Landerer, resided in southern Germany after the First World War and used the name Jürg as an alternative first name. The Claimant did not specify where in Germany his relative resided. The CRT notes that the documents provided by the Claimant show his grandfather's first name only as Pinchas and do not indicate any alternative first names or middle names used by him, or any other countries of residence. In contrast, the records show that the account owner's first name was Jörg. The CRT also notes that the Claimant did not establish any link between his grandfather and the account owner's place of residence. The CRT determines that in this case, the information and evidence the Claimant submitted in support of his claim did not plausibly demonstrate that the Claimant's relative and the account owner were the same person. This determination is based on a variety of factors, including but not limited to, whether the Claimant identified an exact spelling of the account owner's name; whether the Claimant was able to provide documentation linking his surname to that of the account owner, thereby demonstrating a familial relationship to a person with the same name as the account owner; whether the Claimant identified the account owner's name prior to its publication; and/or whether the fate of the Claimant's relative is consistent with the disposition of the claimed account. The CRT notes that, according to Article 18 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"), a claim to the CRT is inadmissible if, among other reasons, the claim is based essentially on a statement that the Claimant or his or her relative and the account owner have the same or similar last name, or the Claimant has provided no relevant information and/or documentation regarding his or her relationship to the account owner. In this case, the Claimant either has based his/her claim to this account essentially on the fact that his/her relative and the account owner have the same or similar last name, or has not provided sufficient information or documentation regarding his/her relationship to the account owner, including documentation linking the Claimant's name to that of the account owner. The CRT has deemed this claim admissible to ensure that no Class Member with a Deposited Assets claim is precluded by technical procedural requirements from having his or her claim fairly adjudicated. However, based upon the information provided, the CRT is unable to conclude that the Claimant has identified the account owner as his/her relative.

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 Denial 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 Award Denial.

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 Pinchas Landerer closed. Please note that this decision applies only to the Claim Number and Claimed Account Owner 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