

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Mordohai Levy

Claim Number: 222925/MG¹

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the published account of Mordohai Levy (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 her maternal grandfather, Mordohai Levy, who was born in 1873 in Sofia, Bulgaria, and married [REDACTED], née [REDACTED], in 1896, owned a Swiss bank account. The Claimant stated that her grandfather, who was Jewish, was an owner of a bank in Sofia, which had representative offices in Vienna, Austria, Berlin, Germany, and Prague, today Czech Republic. According to the Claimant, her grandfather had residences in Sofia and Vienna. The Claimant further stated that her grandfather died in 1936 in Sofia. The Claimant indicated that she was born on 29 October 1938 in Yugoslavia.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Mordohai Levy. 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 one account whose owner’s name matches that provided by the Claimant. The 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 1001497

¹ The Claimant submitted one additional claim, which is registered under the Claim Number 222924. The CRT will treat this claim in a separate determination.

The Bank's records indicate that the Account Owner was Mordohai Levy, who resided in Austria. The Bank's records also indicate the Account Owner's street address and city of residence. Furthermore, the Bank's records indicate the date of opening of the account 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 her relative. Although the name of her grandfather matches the published name of the Account Owner, the information provided by the Claimant differs materially from the unpublished information available in the Bank's records. Specifically, the Claimant stated that her grandfather died in 1936. In contrast, the Bank's records show that the account at issue was opened after 1936. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandfather 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 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
9 November 2006