

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

Claimed Account Owners: Oscar Levy, Georg Levy, Julius Levy; Käte Levy, Paula Levy, Isaak Levy and the companies *Bundert-Lettre* and *Transkontinent Import-Export Gesellschaft*¹

Claim Number: 222336/RT

This determination is based on the claim of [REDACTED] (the “Claimant”) to Swiss bank accounts potentially owned by Oscar Levy, Georg Levy, Julius Levy; Käte Levy, Paula Levy, Isaak Levy and the companies *Bundert-Lettre* and *Transkontinent Import-Export Gesellschaft*. The CRT did not locate an account belonging to *Bundert-Lettre* and *Transkontinent Import-Export Gesellschaft* 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 Governing the Claims Resolution Process, as amended (the “Rules”).

This Certified Denial is to a Swiss bank account potentially owned by the Claimant’s father, [REDACTED], his uncles [REDACTED] and [REDACTED], his mother [REDACTED], his grandmother [REDACTED] and by himself under his birth name [REDACTED] (the “Claimed Account Owners”).

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 stating that Julius Levy, who was Jewish, was a jewelry expert and dealer who owned his own jewelry stores and who resided in Breslau, Germany until 1937 and in Berlin, Germany until 1938, when he fled Germany for Switzerland. The Claimant indicated that Julius Levy resided in Switzerland until 1940, when he moved to Budapest, Hungary, where he resided until January 1945, when he moved to Meran, Italy. The Claimant further stated that after the Second World War, his father emigrated to Palestine (now Israel), where he died in 1973. The Claimant stated that during the Second World War, his father used

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

the alias Jaak Lewis van Harten, for which the Claimant provided documents. The Claimant further stated that his father also used numerous other names, including: *Jacob Levi, Joseph Henry Levi; Henri (Heinrich) Levi (Cullman/n); Henry Levy; Jaacov Lewis Levy; Julien Levy; Julian Levy; Jaques-Jules Levy, Jacques-Jules Levy; Jakub Lewy; Jacques Lewy; Heinrich van Riesen; Henri van Riesen; Heinrich von den Riesen; Henry the Giant; Heinrich der Riese; Heinrich Cullmann; Ephraim Oscar Levi -Cullmann; Joseph Heinrich Levi-Cullmann; J. Heinrich Kuhlmann; Yaacov Lewis van Harten; Yakov van Harten; Jaak van Harten; Louis van Harten; Antonio van Harten.* The Claimant did not provide any documentation regarding his father's use of any of these additional names. The Claimant did not indicate any academic or professional title held by his father.

The Claimant further stated that Käte Levy, who was Jewish, resided in Breslau, Berlin and Amsterdam, the Netherlands; that Paula Levy, who was Jewish, resided in Breslau, where she died on 10 May 1933; that Georg Levy, who was Jewish, resided in Breslau; Paris, France; and Buenos Aires, Argentina, where he remained after the Second World War; and that his uncle Oscar Levy, who was Jewish, was the owner of a Swiss bank account. The Claimant did not provide any further information or documentation regarding Oscar Levy but indicated that his relatives resided in Breslau.

The Claimant finally stated that he is Jewish, was born on 14 December 1927 in Breslau under the name [REDACTED], and as of 1934 used the name [REDACTED] for protection purposes. The Claimant further stated that he, together with his mother, fled Germany for the Netherlands.

The CRT's Investigation

The CRT matched the names of Oscar Levy, Georg Levy, Julius Levy (Jaak Lewis van Harten; Jacob Levi, Joseph Henry Levi; Henri (Heinrich) Levi (Cullman/n); Henry Levy; Jaacov Lewis Levy; Julien Levy; Julian Levy; Jaques-Jules Levy, Jacques-Jules Levy; Jakub Lewy; Jacques Lewy; Heinrich van Riesen; Henri van Riesen; Heinrich von den Riesen; Henry the Giant; Heinrich der Riese; Heinrich Cullmann; Ephraim Oscar Levi -Cullmann; Joseph Heinrich Levi-Cullmann; J. Heinrich Kuhlmann; Yaacov Lewis van Harten; Yakov van Harten; Jaak van Harten; Louis van Harten; Antonio van Harten), Käte (Rachel, Rahel) Levy (Levi, Lewy, Lewi, Robinski), Paula (Pauline) Levy (Smith, Schmidt), and [REDACTED] 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 Owners. 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 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 Owners. Accordingly, the CRT was unable to conclude that any of these accounts belonged to the Claimed Account Owners.

The CRT's Analysis

Identification of the Account Owners

The list below contains names of account owners that match the names of the Claimed Account Owners and the reasons why the CRT has concluded that the Claimed Account Owners and an account owner are not the same person. If an account owner's place of residence was published, that place of residence is also listed.

Name: Oscar Levi (France)

Account Identification Number: 1000548

Specifically, the Claimant stated that his relative, Oscar Levi, held a Swiss bank account. The Claimant did not provide any further information or documentation about Oscar Levi but indicated that his closer relatives resided in Germany. In contrast, the records show that the account owner resided in France. 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.

Name: Oscar Levy (France)

Account Identification Numbers: 1009273; 1009274

Specifically, the Claimant stated that his relative, Oscar Levi, held a Swiss bank account. The Claimant did not provide any further information or documentation about Oscar Levi but indicated that his closer relatives resided in Germany. In contrast, the records show that the account owner resided in France. 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.

Name: Georges Levy

Account Identification Number: 1001165

Specifically, the Claimant stated that his relative, Georg Levy, resided in Germany, until he fled Germany for Paris, France and Buenos Aires, Argentina, where he resided after the Second World War. In contrast, the records indicate that the account owner had a different fate.

Name: Georges Levy (Fessenheim, France)

Account Identification Numbers: 5023691; 5035938

Specifically, the Claimant stated that his relative, Georg Levy, resided in Paris, France. In contrast, the records show that the account owner resided in Fessenheim, which is over 550 kilometers from Paris.

Name: Georg Lewy (Monte Carlo, France)

Account Identification Number: 4022400

Specifically, the Claimant stated that his relative, Georg Levy, resided in Paris, France. In contrast, the records show that the account owner resided in Monte Carlo, which is over 950 kilometers from Paris.

Name: Henry Levy (Strasbourg, France)

Account Identification Numbers: 5032335; 5032336

Specifically, the Claimant stated that his father, Julius Levy, resided in Berlin, Germany until 1938, when he fled Germany for Switzerland, where he resided under the name Jaak Lewis van Harten until 1940, when he moved to Budapest, Hungary, where he resided until January 1945, when he further moved to Meran, Italy. In contrast, the records show that the account owner resided in France. The records further indicate that the account owner transferred the account

to a different person, who was closely related to the account owner and who was not identified by the Claimant.

Name: Henry J. Levy (Paris, France)

Account Identification Numbers: 5035228; 5035230

Specifically, the Claimant stated that his father, Julius Levy, resided in Berlin, Germany until 1938, when he fled Germany for Switzerland, where he resided under the name Jaak Lewis van Harten until 1940, when he moved to Budapest, Hungary, where he resided until January 1945, when he further moved to Meran, Italy. The Claimant further stated that his father later resided in Israel, where he died in 1973. In contrast, the records show that the account owner resided in France and had a different fate.

Name: Heinrich Lewy (Germany)

Account Identification Number: 1013781

Specifically, the Claimant stated that his father, Julius Levy, was a Jewelry dealer and expert. The Claimant did not indicate any academic or professional title held by his father. In contrast, the records show that the account owner held such a title, which is inconsistent with the Claimant's father's profession as a jewelry expert and dealer.

Name: Joseph Levy

Account Identification Number: 1000707

Specifically, the Claimant stated that his father, Joseph Levy, resided in Germany, Switzerland, Hungary and Italy and later emigrated to Palestine/Israel, where he died in 1973. In contrast, the records show that the account owner had a different fate.

Name: Jules Levy (Strasbourg, France)

Account Identification Numbers: 5032092; 5032093; 5032094; 5032560

Specifically, the Claimant stated that his father, Julius Levy, was a Jewelry dealer and expert who resided in Berlin, Germany until 1938, when he fled Germany for Switzerland, where he resided under the name Jaak Lewis van Harten until 1940, when he moved to Budapest, Hungary, where he resided until January 1945, when he further moved to Meran, Italy. The Claimant did not indicate any academic or professional title held by his father. In contrast, the records show that the account owner held such a title, which is inconsistent with the Claimant's father's profession as a jewelry expert and dealer. The records further show that the account owner resided in France.

Name: Jules Lévy (Colmar, France)

Account Identification Number: 5032383

Specifically, the Claimant stated that his father, Julius Levy, was a Jewelry dealer and expert who resided in Berlin, Germany until 1938, when he fled Germany for Switzerland, where he resided under the name Jaak Lewis van Harten until 1940, when he moved to Budapest, Hungary, where he resided until January 1945, when he further moved to Meran, Italy. In contrast, the records show that the account owner resided in France. The Claimant also did not identify the joint account owner, who was closely related to the account owner.

Name: Jules Lévy (Strasbourg, France)

Account Identification Number: 5032559

Specifically, the Claimant stated that his father, Julius Levy, was a jewelry expert and dealer who resided in Berlin, Germany until 1938, when he fled Germany for Switzerland, where he resided under the name Jaak Lewis van Harten until 1940, when he moved to Budapest, Hungary, where he resided until January 1945, when he moved to Meran, Italy. In contrast, the records show that the account owner resided in France. The Claimant also did not identify the initial account owner, who opened the account before it was transferred to the published account owner, and who was closely related to the account owner.

Name: Julien Lévy (Paris, France)

Account Identification Number: 5034587

Specifically, the Claimant stated that his father, Julius Levy, was a Jewelry dealer and expert who resided in Berlin, Germany until 1938, when he fled Germany for Switzerland, where he resided under the name Jaak Lewis van Harten until 1940, when he moved to Budapest, Hungary, where he resided until January 1945, when he moved to Meran, Italy. In contrast, the records show that the account owner resided in France. The Claimant also did not identify the joint account owner and the power of attorney holder, who were closely related to the account owner.

Name: Julius Levy (Germany)

Account Identification Number: 1014791

Specifically, the Claimant stated that his father, Julius Levy, resided in Switzerland between 1938 and 1940, in Hungary between 1940 and 1945 and in Italy between January 1945 and 1946, when he emigrated to Palestine/Israel, where he died in 1973. In contrast, the records show that the account owner resided in a different country at the time the Claimant's father resided in Hungary, Italy and Israel.

Name: Jacques Lewy (AKA Jakub Lewy; Lodz, Poland)

Account Identification Number: 5031093

Specifically, the Claimant stated that his father, Julius Levy, resided in Berlin, Germany until 1938, when he fled Germany for Switzerland, where he resided under the name Jaak Lewis van Harten until 1940, when he moved to Budapest, Hungary, where he resided until January 1945, when he further moved to Meran, Italy. In contrast, the records show that the account owner resided in Poland. The Claimant also did not identify the power of attorney holders, who were closely related to the account owner.

Name: Isaak Levy

Account Identification Number: 1001206

Specifically, the Claimant stated that he was born on 14 December 1927 under the name Isaak Levy, and used the name [REDACTED] as of 1934 as a protection measure. The Claimant now resides in Germany. In contrast, the records show that the account was opened by the account owner at a time when the Claimant was a young child. The records also show that the account owner used the name Isaak Levy at a time when the Claimant already used the name [REDACTED]. The records further show that the account owner had a different fate.

Name: Isak Lewy (Berlin, Germany)

Account Identification Number: 5033549

Specifically, the Claimant stated that he was born on 14 December 1927 under the name [REDACTED], and used the name [REDACTED] as of 1934 as a protection measure. In contrast the records show that the account owner himself opened the account under the name Isak Lewy at a time when the Claimant was still a minor and already used the name [REDACTED]. The records further show that the account owner was married at the time when he opened the account and when the Claimant was still a minor. The Claimant also did not identify the power of attorney holders, who were closely related to the account owner.

Name: Heinrich Lewy (Germany)

Account Identification Number: 1013781

Specifically, the Claimant stated that he was born in 1927. In contrast, the records indicate that the account owner was born decades before the Claimant.

Name: Henry Levy (Strasbourg, France)

Account Identification Numbers: 5032335; 5032336

Specifically, the Claimant stated that he resided in Germany and the Netherlands. In contrast, the records show that the account owner resided in France. The records further indicate that the account owner transferred the account to a different person, who was closely related to the account owner and who was not identified by the Claimant.

Name: Henry J. Levy (Paris, France)

Account Identification Numbers: 5035228; 5035230

Specifically, the Claimant stated that he resided in Germany and the Netherlands and now again resides in Germany. In contrast, the records show that the account owner resided in France and had a different fate.

Name: Käte Levy (Berlin, Germany)

Account Identification Number: 5024142

Specifically, the Claimant stated that his mother, Käte Levy, had the maiden name Robinski and was married to Julius Levy. In contrast, the records show that the account owner had a different maiden name and was married to a different person.

Name: Mrs. Paula Levi (Frankfurt am Main, Germany)

Account Identification Number: 1014643

Specifically, the Claimant stated that his relative, Paula Levy, had the maiden name Smith, was married to Chaim Hermann Levy, and resided in Breslau. In contrast, the records show that the account owner had a different maiden name, was married to a different person, and resided in Frankfurt am Main, which is over 700 kilometers from Breslau.

Name: Pauline Lévy (AKA Pauline Kiefe; Paris, France); Felix Kiefe (power of attorney holder)

Account Identification Number: 5034587

Specifically, the Claimant stated that his relative, Paula Levy, had the maiden name Smith, was married to Chaim Hermann Levy and resided in Germany. In contrast, the records show that the

account owner had a different maiden name, was married to a different person and resided in France.

The Claimant should note that all awards are published upon release on the CRT's website at www.crt-ii.org.

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 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 CRT now considers the Claimant's claim to the accounts of Oscar Levy, Georg Levy, Julius Levy; Käthe Levy, Paula Levy, Isaak Levy and the companies Bundert-Lettre and Transkontinent Import-Export Gesellschaft closed. Please note that this decision applies only to the Claim Number and Claimed Account Owners 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