

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Karl Lion

Claim Number: 216559/SB^{1, 2}

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published accounts of Karl Lion (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 cousin, Carl Lion, who was born in Euskirchen, Germany, and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that her cousin, who was Jewish, resided in Euskirchen until 1942, when he was deported to Minsk (today Belarus), where he perished. The Claimant indicated that she was born on 11 October 1926 in Münstereifel, Germany.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Karl Lion. 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 five accounts whose owner’s name matches that 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.

¹ The Claimant submitted six additional claims, which are registered under the Claim Numbers 216557, 216558, 223674, 223675, 223734 and 223735. In separate decisions, the CRT awarded the accounts of Emil Jacob and Lois Spier to the Claimant. See *In re Accounts of Emil Jacob-Cahn* (approved on 4 July 2005) and *In re Accounts of Louis Spier* (approved on 1 July 2002). The CRT has also treated the Claimant’s claim to the account of Frida and Oskar Nathan. See *In re Accounts of Frida Nathan* (approved 8 August 2006). The CRT will treat the remaining claims in separate determinations.

² The Claimant submitted four Initial Questionnaires to the Court in 1999 and Claim Forms to the CRT. The CRT is treating the Initial Questionnaires and under the consolidated Claim Number 216557.

Accounts 1010463 to 1010467

The Bank's records indicate that the Account Owner was Karl Lion, who resided in Germany. The Bank's records also indicate the Account Owner's city of residence in Germany and the dates of 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 her relative. Although the name of her cousin 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 her cousin resided in Euskirchen, Germany. In contrast, the Bank's records show that the Account Owner resided in a different city, which is over 450 kilometers from Euskirchen. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's cousin are the same person.

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 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
27 February 2007