

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Herbert Loebel

in re Accounts of Richard Loebel

Claim Numbers: 401526/SB; 402176/SB¹

This Certified Denial is based on the claims of Herbert Loebel (the “Claimant”) to the published accounts of Richard Loebel (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 in 2005 asserting that his father, Richard Loebel, who was born on 10 February 1881 in Austria-Hungary, and married to Else Grunfeld in 1911, owned a Swiss bank account. The Claimant stated that his father, who was Jewish, was a businessman who resided in Vienna, Austria, and Czechoslovakia. The Claimant further stated that his father perished in the Holocaust in 1942. The Claimant indicated that he was born on 14 October 1917 in Austria-Hungary.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Richard Loebel. 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 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 According to Article 37 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the two claims of the Claimant in one proceeding.

Accounts 1011465 and 1011466

The Bank's records indicate that the Account Owner was Richard Loeb. The Bank's records also indicate the Account Owner's cities and countries of residence and the name of an individual who jointly owned one of the accounts at issue. Furthermore, the Bank's records indicate the date of closing of one of the accounts at issue.

The CRT's Analysis

Admissibility of the Claims

The CRT has determined that the claims are 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 father 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 father resided in Austria and Austria-Hungary (later Czechoslovakia). In contrast, the Bank's records show that the Account Owner resided in other countries. The CRT also notes that the Claimant did not identify the joint account owner, even though this person appears to be closely related to the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father 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
2 June 2006