

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

**in re Accounts of Max Lorch
and
Accounts of Albert Wolf
and
Account of Ida Wolf
and
Accounts of Hans Wolf
(Power of Attorney Holder Ida Wolf)¹**

Claim Number: 650025/AE²

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”), to the accounts of Max Lorch (or Marx Lorch, Max Lorch I, or Marx Lorch I), Albert Wolf, and Ida Lorch, née Wolf.³ This Denial is to the published accounts of Max Lorch (“Account Owner 1”) at the [REDACTED] (“Bank 1”), to the published accounts of Albert Wolf (“Account Owner 2”) at Bank 1, to the published account of Ida Wolf (“Account Owner 3”) at Bank 1, and to the published accounts of Hans Wolf (“Account Owner 4”), over which Ida Wolf (the “Power of Attorney Holder”) held power of attorney, at the [REDACTED] (“Bank 2”).⁴

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 are redacted.

¹ In an effort to locate any and all accounts that might have belonged to the Claimant’s relative, the CRT has reviewed and analyzed all accounts whose owners’ or power of attorney holders’ names are the same as that of the Claimant’s relative, even if the Claimant could not identify the owner of the account as his relative.

² The Claimant submitted a claim, numbered B-01948 on 23 August 1999, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 650025.

³ In this claim, the Claimant also claimed the accounts of Sigrid Silvia Lorch, *Grossschlächtere* & *Viehhandlung*, Leopold Wolf and Moritz Lehmann. The CRT will treat the claim to these accounts in a separate determination.

⁴ The CRT did not locate an account belonging to Marx Lorch, Max Lorch I or Marx Lorch I 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”).

Information Provided by the Claimant

The Claimant submitted a claim to the Holocaust Claims Processing Office (“HCPO”) asserting that his parents, Max Lorch (or Marx Lorch, Max Lorch I, or Marx Lorch I), who was born on 30 August 1883, and Ida Lorch, née Wolf, who was born on 5 February 1892, owned a Swiss bank account. The Claimant further asserted that his maternal uncle, Albert Wolf, who was married to [REDACTED], owned a Swiss bank account. The Claimant stated that his parents, who were Jewish, were married in 1919 or 1920 and resided in Dieburg and Darmstadt, Germany, prior to and during the Second World War. The Claimant indicated that his father owned a butcher shop named *Grossschlächtereie & Viehhandlung*. The Claimant explained that his father used the numeral “I” after his name because there were three different persons named Max Lorch in Dieburg, a town of approximately 5,000 people at the time. The Claimant indicated that his uncle, Albert Wolf, who was also Jewish, deposited money in accounts for the Claimant’s parents. The Claimant indicated that his uncle and other family members resided in Roermond, the Netherlands. According to the Claimant, in March of 1942, his parents were deported to the Majdanek concentration camp in Lublin, Poland, where his parents were forced to perform slave labor. The Claimant indicated that his father perished at the Majdanek concentration camp on 28 October 1942. The Claimant indicated that he was born on 13 December 1921 in Darmstadt.

The Claimant submitted documents in support of his claim, including: (1) an extract from the registry of births in Darmstadt, indicating his date of birth and the names of his parents; (2) a list of Jewish persons who were deported from Darmstadt, including the names of Max Lorch, Ida Lorch and [REDACTED]; and (3) documents relating to post-War German compensation programs.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relatives, Max Lorch (or Marx Lorch, Max Lorch I, or Marx Lorch I), Ida Lorch, née Wolf and Albert Wolf. 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 thirteen accounts whose owners’ names match those 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.

Accounts 1012604, 1012605, 1012606, 1012607, 1012608

Bank 1’s records indicate that Account Owner 1 was Max Lorch, who resided in Germany. Bank 1’s records further indicate Account Owner 1’s city of residence and profession. Furthermore, Bank 1’s records indicate the dates of opening and closing of the accounts at issue.

Accounts 1014278, 1014279, 1014280, 1014281, 1014282

Bank 1’s records indicate that Account Owner 2 was Albert Wolf, who resided in Germany.

Bank 1's records further indicate Account Owner 2's city of residence and his profession. Furthermore, Bank 1's records indicate the dates of opening and closing of the accounts at issue.

Account 1014158

Bank 1's records indicate that the Account Owner 3 was Ida Wolf, who resided in Germany. Bank 1's records further indicate Account Owner 3's city of residence and her title. Furthermore, Bank 1's records indicate the dates of opening and closing of the account at issue.

Accounts 5033748 and 5033749

Bank 2's records indicate that Account Owner 4 was Hans Wolf, and the Power of Attorney Holder was *Frau* (Mrs.) Ida Wolf. These records also indicate that an individual named Anton Mrasek also held power of attorney over these accounts. Bank 2's records further indicate that Account Owner 4 resided in Saint Pölten, Austria. Furthermore, Bank 2's records indicate the Power of Attorney Holder's city and country of residence, as well as Anton Mrasek's title, profession, street address, city, and country of residence.

The CRT's Analysis

Admissibility of the Claims

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

As for Accounts 1012604, 1012605, 1012606, 1012607, 1012608, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his father matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the unpublished information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant indicated that his father owned a butcher shop named *Grossschlächtereier & Viehhandlung*. In contrast, Bank 1's records indicate that Account Owner 1 had a different profession. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's father are the same person.

As for Accounts 1014278, 1014279, 1014280, 1014281, 1014282, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his uncle matches the published name of Account Owner 2, the information provided by the Claimant differs materially from the unpublished information about Account Owner 2 available in Bank 1's records. Specifically, the Claimant indicated that his uncle resided in Roermond, the Netherlands. In contrast, Bank 1's records show that Account Owner 2 resided in Germany. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's uncle are the same person.

As for Account 1014158, the CRT concludes that the Claimant has not identified Account Owner 3 as his relative. Although the maiden name of his mother matches the published name of Account Owner 3, the information provided by the Claimant differs materially from the unpublished information about Account Owner 3 available in Bank 1's records. Specifically, the Claimant indicated that his mother's maiden name was Wolf and that she married his father in 1919 or 1920. In contrast, Bank 1's records show that Account Owner 3 opened Account 1014158 under the name "Wolf" a significant number of years after the Claimant's mother was married. Furthermore, the Claimant indicated that his parents resided in Dieburg and Darmstadt, Germany. In contrast, Bank 1's records indicate that Account Owner 3 resided in a different city in Germany, to which the Claimant did not establish a connection. Although Account Owner 3's city of residence is less than 100 kilometers from Dieburg and Darmstadt, the CRT notes that Darmstadt and Dieburg are similar in size to Account Owner 3's city of residence, and that it is not likely that a person who lived in either of those two cities would provide an address in Account Owner 3's city of residence, even for the purposes of maintaining a bank account. Consequently, the CRT is unable to conclude that Account Owner 3 and the Claimant's mother are the same person. Moreover, it should be noted that the CRT has awarded the account to another claimant, who more plausibly identified the Account Owner as her relative. All decisions are published upon release on the CRT's website at www.crt-ii.org.

As for Accounts 5033748 and 5033749, the CRT concludes that the Claimant has not identified Power of Attorney Holder Ida Wolf as his relative. Although the name of his mother matches the published name of the Power of Attorney Holder, the information provided by the Claimant differs materially from the unpublished information about the Power of Attorney Holder available in Bank 2's records. Specifically, the Claimant indicated that his mother resided in Dieburg and Darmstadt, Germany. In contrast, Bank 2's records indicate that the Power of Attorney Holder resided in a different country, which was not identified by the Claimant as a possible place of residence for his mother and to which the Claimant did not establish a connection. Moreover, the Claimant did not identify Account Owner 4, who appears to be related to the Power of Attorney Holder, or Anton Mrasek, who also held power of attorney over the accounts. Consequently, the CRT is unable to conclude that the Power of Attorney Holder and the Claimant's mother are the same person.

In addition, the CRT notes that the Claimant did not identify the Account Owner 4 as his relative, and that under Swiss law, a power of attorney holder is not considered to be the owner of an account. After a power of attorney holder dies, his or her powers in an account no longer exist, and they do not pass to his or her heirs. Therefore, even if the Claimant had identified the Power of Attorney Holder, but not Account Owner 4, as his relative, the Claimant would not have been entitled to the account unless there was evidence in Bank 2's records that the Power of Attorney Holder and Account Owner 4 were related.

The CRT has taken utmost care in matching the names of the persons identified by the Claimant as possible account owners to names of actual account owners identified in the Account History Database prepared pursuant to the ICEP Investigation, which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules. The CRT uses advanced name matching systems that consider variations of names, including name variations provided by Yad Vashem, Israel, to ensure that all possible name matches are identified. The

CRT has reviewed this claim carefully and analyzed matches to accounts belonging to account owners with alternative spellings of Albert Wolf's and Ida Wolf's surname, which include Wolff, and has determined that these accounts do not belong to the Claimant's relatives.

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, or the alternative surname of the Account Owner identified above, that 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
31 October 2005