

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant Estate of [REDACTED]<sup>1</sup>  
represented by Michael Lissner

**in re Account of Siegfried Lublinsky**

Claim Number: 203022/SB<sup>2</sup>

This Certified Denial is based on the claim of the Estate of [REDACTED] (the “Claimant”) to the published account of Siegfried Lublinsky (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**

[REDACTED], the wife of [REDACTED] and executor of his estate, submitted a Claim Form asserting that her husband's uncle, Dr. Siegfried Lublinsky, who was born in approximately 1894, owned a Swiss bank account. She stated that her relative, who was Jewish, was a medical doctor who resided in Berlin, Germany. [REDACTED] further stated that the Nazis restricted her relative's ability to practice medicine in Berlin, and that, in 1934, he fled Germany for Switzerland, then emigrated to Palestine in 1939. She continued that her relative never married or had children, and that he died in Israel in 1948. [REDACTED] indicated that she was born on 12 March 1925 in Vienna, Austria, and that her husband was born on 31 October 1922 in Berlin.

The Claimant's late husband, [REDACTED], previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by Dr. Siegfried Lublinsky.

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<sup>1</sup> [REDACTED], the executor of [REDACTED]'s estate, submitted a Claim Form on behalf of her deceased husband, [REDACTED].

<sup>2</sup> [REDACTED] previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to an account owned by Dr. Siegfried Lublinsky. The CRT is treating this Initial Questionnaire and the Claim Form submitted by Claimant [REDACTED] under the consolidated Claim Number 203022.

## **Information Available in the Bank's Records**

The CRT notes that [REDACTED] submitted a claim to an account belonging to her husband's relative, Siegfried Lublinsky. 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 2016600

The Bank's records indicate that the Account Owner was Siegfried Lublinsky, who resided in Vienna, Austria. The Bank's records also indicate the Account Owner's title, his street address in Vienna, and a second city and country of residence.

## **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. Although the name of [REDACTED]'s husband's uncle matches the published name of the Account Owner, the information provided by the Claimant differs materially from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, [REDACTED] stated that her relative resided in Berlin, Germany until 1934, when he fled to Switzerland, from where he emigrated to Palestine in 1939. In contrast, the Bank's records show that the Account Owner resided in Vienna, Austria, and in another city and country, a city and country to which the Claimant did not demonstrate any connection. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's relative are the same person.

### Right of Appeal

Pursuant to Article 30 of the Rules, the Claimant/s 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 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 its 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  
15 July 2005