

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

**Claimed Account Owners: Franziska Maas, Fannie Maas, and Fanny Maas<sup>1</sup>**

Claim Number: 219952/NB

This Certified Denial is to the claim of [REDACTED] (the “Claimant”) to Swiss bank accounts potentially owned by the Claimant’s relatives, Fannie Maas, née Bachrach, Franziska Maas, née Maas, Fanny Maas and Robert Maas (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 she had a relative named Fannie Maas, née Bachrach, who was Jewish and who was married to [REDACTED]. The Claimant stated that Fannie and [REDACTED] had a child, Franziska Maas. The Claimant also stated that she had another relative named Fanny Maas, who was Jewish and who was married to [REDACTED]. The Claimant stated that these relatives resided in and around Vienna, Austria, but did not provide any further information about them. The Claimant did not provide any additional names or name variations used by Fannie Maas, née Bachrach, or Fanny Maas, née Maas.

### **Information Available from the Austrian State Archive**

By decree on 26 April 1938, the Nazi Regime required all Jews who resided within the Reich, or who were nationals of the Reich, including Austria, and who held assets above a specified level to register all their assets as of 27 April 1938 (the “1938 Census”). In the records of the Austrian State Archive (Archive of the Republic, Finance), there are documents concerning the assets of two persons named Franziska Maas and Fanny Maass-von Portheim. These records indicate Franziska Maas’ and Fanny Maass’ maiden names, their dates of birth, addresses, an additional name used and the name of other another close family member.

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<sup>1</sup> 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 CRT's Investigation**

The CRT matched the names of Franziska Maas, Fanny Maas, née Maas, and Fannie Maas, née Bachrach, 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: Frau Franziska Maas (Vienna, Austria)*

*Account Identification Numbers: 5024706; 5024887*

*Specifically, the Claimant indicated her relative Franziska Maas had the maiden name Maas. Based on a comparison of the information contained in the 1938 Census concerning Franziska Maas and the information contained in the bank records, the CRT concludes that the person referenced in the 1938 Census records was the account owner. The 1938 Census records indicate that the account owner had a different maiden name than the Claimant's relative. The CRT further notes that the account was awarded to different claimants who definitely identified the account owner by identifying unpublished information about the account owner including her maiden name, date of birth, street address and her relation to the power of attorney holder.*

*Name: Fanny Maass-von Portheim (Vienna, Austria)*

*Account Identification Numbers: 5024706; 5024887*

*Specifically, the Claimant stated that Fannie Maas, née Bachrach, was married to Josef Maas, and that she had another relative named Fanny Maas, who was married to [REDACTED]. The Claimant did not indicate any additional names or name variations used by her relatives. Based on a comparison of the information contained in the 1938 Census concerning Fanny Maass-von Portheim and the information contained in the bank records, the CRT concludes that the person referenced in the 1938 Census records was the account owner. The 1938 Census records indicate that the account owner had a different maiden name than the Claimant's relative and that she used an additional name not identified by the Claimant. The CRT further notes that the Claimant did not identify the account owner's last name "von Portheim." The CRT further notes*

*that the account was awarded to different claimants who definitely identified the account owner by identifying unpublished information about the account owner including her maiden name, her date of birth, street address, and her relation to the power of attorney holder. These Claimants also identified an additional name used by the account owner.*

The Claimant should note that all accounts awarded by the CRT are published upon release on the CRT's website at [www.crt-ii.org](http://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 Fannie Maas, Franziska Maas, and Fanny Maas 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  
28 May 2010