

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Julius Magnus

Claim Number: 709877/SB¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the accounts of Julius Magnus (the “Account Owner”) at the [REDACTED] (the “Bank”).²

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 an Initial Questionnaire asserting that her paternal uncle, Julius Magnus, who was born on 13 January 1867 in Berlin, Germany, owned a Swiss bank account. The Claimant stated that her uncle, who was Jewish, was a businessman who resided in Berlin and that he died on 22 February 1932 in Brussels, Belgium. The Claimant further stated that many of her uncle’s immediate family members perished during the Second World War. The Claimant indicated that she was born on 9 July 1906 in Berlin.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Julius Magnus. 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

¹ The Claimant did not submit a Claim Form to the Claims Resolution Tribunal. However, in 1999 she submitted an Initial Questionnaire, numbered GER 0047057, to the Court in the United States. Although this Initial Questionnaire was not a Claim Form, the Court, in an Order signed on 30 July 2001, ordered that those Initial Questionnaires which can be processed as claim forms be treated as timely claims. Order Concerning Use of Initial Questionnaire Responses as Claim Forms in the Claims Resolution Process for Deposited Assets (July 30, 2001). The Initial Questionnaire was forwarded to the CRT and has been assigned claim number 709877.

² The CRT notes that, on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons (“ICEP”) to be probably or possibly those of Victims of Nazi Persecution (the “ICEP List”), that there are two individuals named Julius Magnus, Germany, indicated in the ICEP List. Upon careful review, the CRT has concluded that the Bank’s records evidence that these individuals are the same person.

(“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.

Accounts 1000161 and 1010536 to 1010539

The Bank’s records indicate that the Account Owner was Julius Magnus, who resided in Germany. The Bank’s records also indicate the Account Owner’s title, profession, city of residence in Germany and the dates of closing for two of the accounts at issue. Furthermore, the Bank’s records indicate the name of a joint account owner for one 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 uncle 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 uncle was a businessman. In contrast, the Bank’s records show that the Account Owner had a different profession. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant’s uncle are the same person. Moreover, it should be noted that the CRT has awarded the accounts to another claimant, who plausibly identified the Account Owner as her relative. All decisions are published upon release on the CRT's website at www.crt-ii.org.

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 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
17 November 2006