

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]
represented by [REDACTED]

in re Account of Elias Mandelbaum

Claim Number: 209254/JW¹

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the Claimant) to the published account of Elias Mandelbaum (“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 a Claim Form asserting that her grandfather, Elias Mandelbaum, owned a Swiss bank account. The Claimant indicated that her grandfather, who was Jewish, resided in Jaworzno, Poland, near Krakow. According to the Claimant, her grandfather was a businessman. The Claimant stated that she was unsure of her grandfather’s fate between 1933 and 1945, as she was deported to a concentration camp before other members of her family, and never learned what happened to him after her deportation. The Claimant indicated that she was born 23 October 1920 in Poland.

Information Available in the Bank’s Records

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

¹ The Claimant submitted an Initial Questionnaire with the Court in 1999 and a Claim Form to the CRT. The CRT is treating the Initial Questionnaire and the Claim Form under the consolidated Claim Number 209254.

² In this claim, the Claimant also claimed the account of Oskar Mandelbaum. The CRT will treat the claim to this account in a separate determination.

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 1010553

The Bank's records indicate that the Account Owner was Elias Mandelbaum, who resided in Poland. The Bank records also indicate the Account Owner's city 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 Account Owner Elias Mandelbaum as her relative. Although the name of her grandfather matches the published name of the Account Owner, the information provided by the Claimant differs from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her grandfather resided in Jarworzno, Poland. In contrast, the Bank's records show that the Account Owner resided in a different, major Polish city located approximately 250 kilometers from Jaworzno. The CRT notes that the Claimant's grandfather resided only 60 kilometers from Krakow, another major Polish city, making it unlikely that the Claimant's grandfather would indicate a different, distant metropolis as his city of residence, including for purposes of maintaining a bank account. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandfather are the same person. Moreover, it should be noted that the CRT has awarded the account to another claimant, who plausibly identified the Account Owner as his relative and who correctly identified the Account Owner's city of residence. 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 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 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
30 November 2005