

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Amos Engelsrath
represented by Elisheva Ansbacher

in re Account of Otto März

Claim Number: 005319/AH

This Certified Denial is based on the claim of Amos Engelsrath (the Claimant) to the published account of Otto März at the [REDACTED] (the “Bank”).

All denials are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form asserting that his paternal uncle, who was born on 6 April 1894 in Uhersky Brod, Czechoslovakia, owned a Swiss bank account. The Claimant indicated that Otto März was married to Meta März, née Engelsrath, the Claimant’s father's sister, and resided in Uhersky Brod and Prague, Czechoslovakia. The Claimant further stated that his uncle had two sons: Gideon Arnost and Amos Martin. The Claimant stated that his uncle, his wife and children, who were Jewish, perished in Auschwitz in October 1944. The Claimant indicated that he was born on 28 September 1928, in Ein Harod, Palestine.

The Claimant submitted documents in support of his application, including a certificate from the Red Cross regarding Otto März, his wife and children, indicating their address in Uhersky Brod, and their deportation to Auschwitz.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Otto März. 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 5025050

The Bank's records indicate that the Account Owner was Otto März, who resided in Dresden, Germany.

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 his relative. Although the name of his paternal uncle matches the published name of the Account Owner, the information provided by the Claimant differs from the published information about the Account Owner available the Bank's records. Specifically, the Claimant stated that his uncle was born in Uhersky Brod and resided in Uhersky Brod and Prague. In contrast, the Bank's records show that the Account Owner resided in Dresden, Germany. 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 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 the Special Master, c/o Claims Resolution Tribunal, P.O. Box 9564, 8036 Zurich, Switzerland.

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 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
10 September 2004