

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED 1]
also acting on behalf of [REDACTED 2], [REDACTED 3], [REDACTED 4],
[REDACTED 5], [REDACTED 6], [REDACTED 7], [REDACTED 8],
[REDACTED 9], [REDACTED 10], [REDACTED 11]
and [REDACTED 12]

in re Accounts of Emma May (Emma Blas)

Claim Number: 217568/MG¹

This Certified Denial is based on the claim of [REDACTED 1] (the “Claimant”) to the published accounts of Emma May (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 are redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form asserting that his paternal aunt, Emma May, who was born on 5 May 1874 in Camberg-Taunus, Germany, owned a Swiss bank account. The Claimant stated that his aunt, who was Jewish, was briefly married to [REDACTED], whom she divorced. The Claimant stated that his aunt lived with her parents [REDACTED] and [REDACTED] in Camberg, and helped in their business. According to the Claimant, in 1932 his aunt moved to Frankfurt am Main, Germany, where she lived until 1938, when she fled from Germany to Holland. The Claimant stated that his aunt, who was Jewish, was persecuted by the Nazis and perished in Auschwitz on 21 September 1943. The Claimant indicated that he was born on 29 June 1919 in Camberg.

The Claimant submitted documentation in support of his application, including: (1) a document from the Dutch authorities, dated 31 July 1946, confirming the date of death of the Claimant’s aunt in Auschwitz; (2) a document, dated 17 December 1938, from the German authorities in Camberg, which indicates that the Claimant’s aunt resided in Camberg and that she was

¹ The Claimant submitted additional claims to the accounts of Hermann May and Siegmund May, which are registered under the Claim Numbers 217567 and 217569, respectively. The CRT will treat the claims to these accounts in separate decisions.

divorced; and (3) his aunt's German passports (*Deutsches Reich Reisepass*), which were both issued in Camberg, on 18 July 1932 and on 9 August 1937 respectively.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Emma May. 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 two 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 5027407 and 5034433

The Bank's records indicate that the Account Owner was Emma May (Blas), who resided in Rohrbach, Germany. The Bank's records also indicate that the Account Owner jointly held the accounts with her husband. The Bank's records further indicate the Account Owner's maiden name, street address and her husband's profession. Finally, the Bank's records indicate the dates of opening and closing of 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 his relative. Although the maiden name of his aunt 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, the Claimant stated that his aunt resided in Camberg and Frankfurt am Main in Germany, and that in 1938 she fled from Germany to Holland, from where she was deported to Auschwitz. In contrast, the Bank's records show that the Account Owner resided in Rohrbach, Germany, which is distant from both Camberg and Frankfurt am Main. Moreover, the Claimant stated that his aunt was married to [REDACTED]. In contrast, the Bank's records show that the Account Owner was married to a different person and had a different married name. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's aunt 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
30 September 2004