

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], and [REDACTED 6]

in re Accounts of Hermann May

Claim Number: 217567/MG¹

This Certified Denial is based on the claim of [REDACTED 1] (the “Claimant”) to the published accounts of Hermann 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 have been redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form asserting that his father, Hermann May, who was born on 11 August 1877 in Camberg im Taunus, Germany, and was married to [REDACTED], née [REDACTED], on 31 August 1910 in Münzesheim, Germany, owned a Swiss bank account. The Claimant stated that his father, who was Jewish, was a merchant and that he also owned a company named *Mayer May*, which was located in Camberg. The Claimant further stated that his father resided between 1930 and 1939 at Frankfurterstrasse 1 in Camberg. According to the Claimant, his father fled Germany to the United States, where he died on 21 January 1946 in New Orleans, Louisiana. The Claimant indicated that he was born on 29 June 1919 in Camberg.

The Claimant submitted documents in support of his application, including: (1) his father’s birth certificate, which was issued on 29 March 1939 in Camberg; (2) a decision issued by the German compensation authorities in Darmstadt relating to compensation sought by the heirs of Hermann May, indicating that he previously resided in Camberg; (3) his father’s application for a German identify card dated 18 December 1938, indicating that he resided in Camberg; (4) a certificate of inheritance issued in Camberg, naming the heirs of Hermann May as his wife and sons, (5) his mother’s German passport, which was issued on 30 January 1932 in Camberg; and (6) a detailed family tree.

¹ The Claimant submitted additional claims to the accounts of Emma May and Siegmund May, which are registered under the Claim Numbers 217568 and 217569, respectively. The CRT will treat the claims to these accounts in separate decisions.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Hermann 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 four 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 1012178, 1012179, 1012180, 1012181

The Bank's records indicate that the Account Owner was Hermann May, who resided in Germany. The Bank's records also indicate the Account Owner's city of residence in Germany and his other city of residence in a different country. Furthermore, the Bank's records indicate the dates of closing 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 name of his father 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 his father resided between 1930 and 1939 at Frankfurterstrasse 1 in Camberg im Taunus, Germany. In contrast, the Bank's records show that the Account Owner resided during those years in a different country. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father 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 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
19 November 2004