

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of M. Mayer

Claim Number: 223979/AE; 600598/AE^{1, 2}

This Certified Denial is based on the claim of [REDACTED], (the “Claimant”) to the accounts of Mozes (Moses) Mayer (Majer). This Denial is to the published accounts of two individuals named M. Mayer (“Account Owner 1” and “Account Owner 2”, respectively) (together the “Account Owners”) at the [REDACTED] (“the Bank”).^{3, 4}

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 to the Holocaust Claims Processing Office (“HCPO”) in 1998 asserting that his father, Mozes (Moses) Mayer (Majer), who was born in 1878 in Sanok, Poland, and was married to [REDACTED], née [REDACTED], in 1904, owned a Swiss bank account. The Claimant indicated that his father, who was Jewish, was the owner of a lumber mill located in Poland. The Claimant further indicated that his father resided in Sanok prior to and during the Second World War. The Claimant indicated that he overheard his parents discussing their assets in Swiss bank accounts. The Claimant further indicated that the Germans killed his father in December 1939. The Claimant indicated that he was born on 8 May 1923 in Sanok. The Claimant submitted documents in support of his application, including a copy of an identification

¹ The Claimant submitted a claim, numbered B-01562, on 19 November 1998, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 600598.

² According to Article 37 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the two claims of the Claimant in one proceeding.

³ The CRT did not locate an account belonging to Mozes (Moses) Mayer (Majer), in the Account History Database prepared pursuant to the investigation of the Independent Committee of Eminent Persons (“ICEP” or “ICEP Investigation”), which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules Governing the Claims Resolution Process, as amended (the “Rules”).

⁴ In this claim, the Claimant also claimed an account of Gisela Mayer (Majer), née Keil. The CRT will treat the claim to this account in a separate determination.

document from the International Committee of the Red Cross, indicating his name and the names of his parents.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Mozes (Moses) Mayer (Majer). 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 nine accounts whose owners' names match 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.

Account 1011251

The Bank's records indicate that Account Owner 1 was M. Mayer, who resided in Italy. The Bank's records further indicate Account Owner 1's city of residence and the dates of opening and closing of the accounts at issue.

Accounts 1011252, 1011253, 1011254, 1011255, 1011256, 1011257, 1011258, 1011259

The Bank's records indicate that Account Owner 2 was M. Mayer, who resided Germany. The Bank's records further indicate Account Owner 2's city of residence, profession and the dates of opening and 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

As for Account 1011251, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his father matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 1 available in the Bank's records. Specifically, the Claimant indicated that his father resided in Sanok, Poland. In contrast, the Bank's records indicate that Account Owner 1 resided in a city in Italy that was not identified by the Claimant as his father's place of residence, and to which the Claimant did not establish any connection. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's father are the same person.

As for Accounts 1011252, 1011253, 1011254, 1011255, 1011256, 1011257, 1011258, 1011259, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his father matches the published name of Account Owner 2, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 2 available in the Bank's records. Specifically, the Claimant indicated that his father resided in Sanok, Poland. In contrast, the Bank's records indicate that Account Owner 2 resided in a city in Germany that was not identified by the Claimant as his father's place of residence, and to which the Claimant did not establish any connection. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's father are the same person.

The CRT has taken utmost care in matching the names of the persons identified by the Claimant as possible account owners to names of actual account owners identified in the Account History Database prepared pursuant to the ICEP Investigation, which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules. The CRT uses advanced name matching systems that consider variations of names, including name variations provided by Yad Vashem, Israel, to ensure that all possible name matches are identified. The CRT has reviewed this claim carefully and analyzed matches to accounts belonging to account owners with alternative spellings of Mozes (Moses) Mayer's (Majer's) surname, which include Meier and Meyer, and has determined that these accounts do not belong to the Claimant's relative.

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, or the alternative surname of the Account Owner identified above, 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 2005