

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

**in re Account of Maria Eugenie Metzger
and
Accounts of Jeanne Metzger**

Claim Number: 707965/SB¹

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the accounts of Marie Metzger and Jeanne Metzger. This Denial is to the published account of Maria Eugenie Metzger (“Account Owner 1”) at the [REDACTED] (“Bank 1”), and to the published accounts of Jeanne Metzger (“Account Owner 2”) at the [REDACTED] (“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 an Initial Questionnaire asserting that her paternal aunt, Marie Metzger, and her aunt’s daughter, Jeanne Metzger, who were Jewish, each owned a Swiss bank account. The Claimant stated that her aunt, who was born before 1900, resided in Paris, France and perished in 1942 or 1943. The Claimant further stated that her cousin never married and died in 1985 or 1986. The Claimant indicated that she was born on 5 June 1922.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relatives, Marie Metzger and Jeanne Metzger. The auditors who carried out the investigation to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee

¹ [REDACTED] did not submit a Claim Form to the Claims Resolution Tribunal. However, in 1999 she submitted an Initial Questionnaire, numbered FRE 0024 088, to the Court in the United States. Although this Initial Questionnaire was not a Claim Form, the Court, in an Order signed on 30 July 2001, ordered that those Initial Questionnaires which can be processed as claim forms be treated as timely claims (See *Order Concerning Use of Initial Questionnaire Responses as Claim Forms in the Claims Resolution Process for Deposited Assets (July 30, 2001)*). The Initial Questionnaire was forwarded to the CRT and has been assigned claim number 707965.

of Eminent Persons (“ICEP” or the “ICEP Investigation”) reported three accounts whose owners’ names match those 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 4019649

Bank 1’s records indicate that Account Owner 1 was Maria Eugenie Metzger, who resided in Weil, Germany. Bank 1’s records also indicate Account Owner 1’s street address.

Accounts 5034571 and 5034573

Bank 2’s records indicate that Account Owner 2 was Jeanne Metzger, who resided in Strasbourg, France. Bank 2’s records also indicate Account Owner 2’s married name, marital status, the name of Account Owner 2’s spouse and her street address. Bank 2’s records also indicate the name of an individual associated with the accounts at issue. Furthermore, Bank 2’s records indicate the date of 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 Owners

As for Account 4019649, the CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Although the name of her relative matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the published information about Account Owner 1 available in Bank 1’s records. Specifically, the Claimant stated that her relative resided in France. In contrast, Bank 1’s records show that Account Owner 1 resided in Germany. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant’s relative are the same person.

As for Account 5034571 and 5034573, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the name of her relative 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 Bank 2’s records. Specifically, the Claimant stated that relative never married. In contrast, Bank 2’s records show that Account Owner 2 was married and indicate the name of Account Owner 2’s spouse. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant’s relative 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 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. 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 the Metzger surname, which include Mezger, and has determined that these accounts do not belong to the Claimant’s relatives.

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, which 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
23 January 2006