

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

To the Estate of Claimant [REDACTED]  
represented by Margo Logatto

**in re Accounts of Albert Meyer  
and  
Account of A. Meyer  
and  
Account of A. W. Meyer  
and  
Account of Hans Meyer  
(Power of Attorney A. W. Meyer)<sup>1</sup>  
and  
to the Account over which A. Meyer held power of attorney**

Claim Number: 209576/SB<sup>2,3</sup>

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the account of Albert (Arthur) Meyer.<sup>4</sup> This Denial is to the published and unpublished accounts of two individuals named Albert Meyer (“Account Owner 1” and “Account Owner 2”) at the [REDACTED] (“Bank 1”); to the unpublished account of A. Meyer (“Account Owner 3”) at the [REDACTED] (“Bank 2”); to the published account of A. W. Meyer (“Account Owner 4”) at Bank 1; to the published account of Hans Meyer (“Account Owner 5”), over which A. W. Meyer (“Power of Attorney Holder 1”), held power of attorney, at Bank 1; to the account owned by an

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<sup>1</sup> In an effort to locate any and all accounts that might have belonged to the Claimant’s relative, the CRT has reviewed and analyzed all accounts whose owners’ or power of attorney holders’ names are the same as that of the Claimant’s relative, even if the Claimant could not identify the owner of the account as her relative.

<sup>2</sup> The Claimant submitted nine additional claims, which are registered under the Claim Numbers 205851, 208931, 209547, 209549, 209599, 212152, 212172, 212228 and 212229. In separate decisions, the CRT awarded the accounts of Hermann Elsner and Max Elsner to the Claimant. See *In re Accounts of Hermann Elsner* (approved on 17 March 2003) and *In re Accounts of Max Elsner* (approved on 29 December 2005). The CRT also treated the Claimant’s claim to the accounts of Walter Schiller, Adolf Moses and Leopold Elsner. See *In re Accounts of Walter Schiller and Adolf Moses* (approved on 18 August 2004). The CRT will treat the remaining claims in separate determinations.

<sup>3</sup> The Claimant submitted an Initial Questionnaire to the Court in 1999 and a Claim Form to the CRT. The CRT is treating the Initial Questionnaire and the Claim Form under the consolidated Claim Number 205851.

<sup>4</sup> The CRT did not locate an account belonging to Arthur Meyer 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”).

individual (“Account Owner 6”), over which A. Meyer (“Power of Attorney Holder 2”) held power of attorney, at Bank 1.

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 her maternal uncle, Albert Meyer, who was born in Darmstadt, Germany, and was married to [REDACTED] in Germany, owned a Swiss bank account. The Claimant stated that her uncle, who was Jewish, was a tailor who resided in Frankfurt am Main, Germany until 1934 or 1936, when he fled Germany to the United States. The Claimant further stated that her uncle died in New York, New York. The Claimant indicated that she was born on 22 June 1922 in Frankfurt am Main.

### **Information Available in the Bank’s Records**

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Albert Meyer. 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 six accounts whose owners’, or power of attorney holder’s, 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 5024215

Bank 1’s records indicate that Account Owner 1 was Albert Meyer, who resided in Huningue, France.

#### Account 5034461

Bank 1’s records indicate that Account Owner 2 was Albert Meyer, who resided in Strasbourg, France. Bank 1’s records also indicate the month and year in which the account at issue was opened.

#### Account 1001469

Bank 2’s records indicate that Account Owner 3 was A. Meyer. Bank 2’s records also indicate Account Owner 3’s title, middle name and country of residence.

#### Account 5029976

Bank 1's records indicate that Account Owner 4 was A. W. Meyer, who resided in Berlin, Germany and that the power of attorney holder was Lotte Meyer. Pursuant to Article 6 of the Rules, the CRT requested the voluntary assistance of Bank 1 to obtain additional information about this account ("Voluntary Assistance"). Bank 1 provided the CRT with additional documents. These documents indicate Account Owner 4's title, street address in Berlin and the name of his spouse. Furthermore, these documents contain the signatures of Account Owner 4 and the power of attorney holder.

#### Account 5029237

Bank 1's records indicate that Account Owner 5 was Hans Meyer, who resided in Vienna, Austria, and that Power of Attorney Holder 1 was A. W. Meyer. Bank 1's records also indicate Power of Attorney Holder 1's city and county of residence. Pursuant to Article 6 of the Rules, the CRT requested the voluntary assistance of Bank 1 to obtain additional information about this account ("Voluntary Assistance"). Bank 1 provided the CRT with additional documents. These documents indicate Power of Attorney Holder 1's title and second city and country of residence. Furthermore, these documents contain the signatures of Account Owner 5 and Power of Attorney Holder 1.

#### Account 5030488

Bank 1's records indicate that Power of Attorney Holder 2 was A. Meyer. Bank 1's records also indicate Account Owner 6's full name, city and country of residence and Power of Attorney Holder 2's full name.

### **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 5024215, the CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Although the name of her uncle 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 uncle resided in Germany and the United States. In contrast, Bank 1's records show that Account Owner 1 resided in France. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's uncle are the same person.

As for Account 5034461, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the name of her uncle matches the published name of

Account Owner 2, the information provided by the Claimant differs materially from the published information about Account Owner 2 available in Bank 1's records. Specifically, the Claimant stated that her uncle resided in Germany and the United States. In contrast, Bank 1's records show that Account Owner 2 resided in Strasbourg, France. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's uncle are the same person.

As for Account 1001469, the CRT concludes that the Claimant has not identified Account Owner 3 as her relative. Although the name of her uncle matches the unpublished name of Account Owner 3, the information provided by the Claimant differs materially from the unpublished information about Account Owner 3 available in Bank 2's records. Specifically, the Claimant stated that her uncle resided in Germany and the United States. In contrast, Bank 2's records show that Account Owner 3 resided in a different country. Consequently, the CRT is unable to conclude that Account Owner 3 and the Claimant's uncle are the same person.

As for Account 5029976, the CRT concludes that the Claimant has not identified Account Owner 4 as her relative. Although the name of her uncle matches the published name of Account Owner 4, the information provided by the Claimant differs materially from the unpublished information about Account Owner 4 available in Bank 1's records. Specifically, the Claimant stated that her uncle was married to Sophie Meyer. In contrast, Bank 1's records show that Account Owner 4 was married to a different person. Consequently, the CRT is unable to conclude that Account Owner 4 and the Claimant's uncle are the same person.

As for Account 5029237, the CRT concludes that the Claimant has not identified Power of Attorney Holder 1 as her relative. Although the name of her uncle matches the published name of Power of Attorney Holder 1, the information provided by the Claimant differs materially from the unpublished information about Power of Attorney Holder 1 available in Bank 1's records. Specifically, the Claimant stated that her uncle resided in Germany and the United States. In contrast, Bank 1's records show that Power of Attorney Holder 1 resided in a different country. Consequently, the CRT is unable to conclude that Power of Attorney Holder 1 and the Claimant's uncle are the same person. In addition, the CRT notes that the Claimant did not identify Account Owner 5 as her relative, and that under Swiss law, a power of attorney holder is not considered to be the owner of an account. After a power of attorney holder dies, his or her powers in an account no longer exist, and they do not pass to his or her heirs. Therefore, even if the Claimant had identified Power of Attorney Holder 1, but not Account Owner 5, as her relative, the Claimant would not have been entitled to the account unless there was evidence in Bank 1's records that Power of Attorney Holder 1 and Account Owner 5 were related.

As for Account 5030488, the CRT concludes that there is insufficient information contained in Bank 1's records to determine if the Claimant has identified Power of Attorney Holder 2 as her relative. However, as noted above, under Swiss law, a power of attorney holder is not considered to be the owner of an account. After a power of attorney holder dies, his or her powers in an account no longer exist, and they do not pass to his or her heirs. Therefore, even if the Claimant had identified Power of Attorney Holder 2, but not Account Owner 6, as her relative, the Claimant would not have been entitled to the account unless there was evidence in Bank 1's records that Power of Attorney Holder 2 and Account Owner 6 were related. The CRT concludes that there is no information in Bank 1's records to indicate that Account Owner 6 and Power of Attorney Holder 2 were related, including the fact that Account Owner 6 and Power of

Attorney Holder 2 do not share the same last name, and that therefore, even if the Claimant had identified Power of Attorney Holder 2, as her relative, the Claimant would not be entitled to the account.

The CRT has taken utmost care in matching the names of the person identified by the Claimant as a possible account owner 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 Governing the Claims Resolution Process, as amended (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 Albert (Alfred) Meyer’s surname, which include Mayer, and has determined that these accounts do not belong to the Claimant’s relative.

### Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules, the Claimant may appeal this decision or submit a request for reconsideration within ninety (90) days of the date of the letter accompanying this decision.

An appeal must be based upon a plausible suggestion of error regarding the CRT’s conclusions set out in this decision. Any appeals which are submitted without a plausible suggestion of error shall be summarily denied. A request for reconsideration must be based on new documentary evidence not previously presented to the CRT that, if considered, would have led to a different outcome of the claim. Claimants should briefly explain the relevance of the newly submitted documents in view of the conclusions stated in the certified decision.

The Claimant should send appeals and/or requests for reconsideration in writing to the following address: Oren Wiener, Claims Resolution Tribunal, Attention: Appeals / Request for Reconsideration, P.O. Box 9564, 8036 Zurich, Switzerland. If more than one account has been treated in this decision, the Claimant should identify the account, including, where available, the Account Identification Number, that forms the basis of the appeal and/or request for reconsideration.

### **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 March 2007