

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

**Claimed Account Owner: Marta Müller**

Claim Number: 400635/HS

This Certified Denial is to the claim of [REDACTED] (the “Claimant”) to Swiss bank accounts published on the list of account owners in 2005 and potentially owned by the Claimant’s mother, Marta (Martha) Kautsky (formerly Lenk), née Müller (the “Claimed Account Owner”).

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 stating that his mother, [REDACTED] (formerly [REDACTED]), née [REDACTED], who was Jewish, was born on 25 July 1888 in Vienna, Austria, and was married to a man named [REDACTED], with whom she had one child, [REDACTED], who was born on 15 March 1914 in Vienna. The Claimant stated that [REDACTED] died in 1916 or 1917. The Claimant stated that his mother was married to the Claimant’s father, [REDACTED], on 16 October 1919 in Vienna. The Claimant indicated that he was born in Vienna on 5 March 1922. According to the information provided by the Claimant, he and his parents resided in Vienna before the Second World War. The Claimant indicated that a few days after the incorporation of Austria into the Reich in March 1938 (the “*Anschluss*”), he and his parents were ejected from their apartment, after which they moved into the Claimant’s maternal grandmother’s apartment.

The Claimant stated that he and his parents emigrated from Austria to the United Kingdom in August 1938, and that in November 1939, the family moved to the United States. The Claimant indicated that his father died on 3 February 1953, his brother [REDACTED] died on 2 March 1972, and his mother died on 4 October 1978, all in Los Angeles, California.

### **The CRT’s Investigation**

The CRT matched the name of Marta (Martha) Kautsky (formerly Lenk), née Müller, to the names of all account owners in the Account History Database and identified accounts belonging

to individuals whose names match, or are substantially similar to, the name of the Claimed Account Owner. In doing so, the CRT used advanced name matching systems and computer programs, and considered variations of names, including name variations provided by Yad Vashem, The Holocaust Martyrs' and Heroes' Remembrance Authority, in Jerusalem, Israel, to ensure that all possible name matches were identified. However, a close review of the relevant bank records indicated that the information contained therein was inconsistent with the information the Claimant provided regarding the Claimed Account Owner. Accordingly, the CRT was unable to conclude that any of these accounts belonged to the Claimed Account Owner.

## **The CRT's Analysis**

### Identification of the Account Owners

The list below contains names of account owners that match the name of the Claimed Account Owner and the reasons why the CRT has concluded that the Claimed Account Owner and an account owner are not the same person. If an account owner's place of residence was published, that place of residence is also listed.

*Name: Marta Muller*

*Account Identification Number: 1000593*

*Specifically, the Claimant stated that his mother's maiden name was Marta (Martha) Müller, that she was married to men named [REDACTED] and [REDACTED], and that she resided in Austria, the United Kingdom, and the United States. In contrast, the records show that the actual owner of the account had a different maiden name, was married to a different person, and resided in a different country.*

*Name: Marthe Müller*

*Account Identification Number: 5026034*

*Specifically, the Claimant stated that his mother's maiden name was Marta (Martha) Müller, that she was married to men named [REDACTED] and [REDACTED], and that she resided in Austria, the United Kingdom, and the United States. In contrast, the records show that the actual owner of the account had a different maiden name, was married to a different person, and resided in a different country.*

The Claimant should note that all accounts awarded by the CRT are published upon release on the CRT's website at [www.crt-ii.org](http://www.crt-ii.org).

### Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules Governing the Claims Resolution Process, as amended (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: 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 CRT now considers the Claimant's claim to the accounts of Marta Kautsky closed. Please note that this decision applies only to the Claim Number and Claimed Account Owner identified herein, and that the CRT is aware that the Claimant may have claimed accounts held by other persons or entities both in the Claim Number specified above and in other claims submitted to the CRT.

### **Certification of the Denial**

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal  
24 March 2011