

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]
represented by Elisheva Ansbacher

in re Accounts of A. Müller

Claim Number: 216947/SB¹

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to an account of Aron Mueller.² This Denial is to the published accounts of two individuals named A. Müller (“Account Owner 1” and “Account Owner 2”) at the [REDACTED] (“Bank 1”) and at the [REDACTED] (“Bank 2”), respectively.

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 father-in-law, Aron Mueller, who was born on 18 June 1894 in Poland and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that her father-in-law, who was Jewish, was a manufacturer and that he resided in Leipzig, Germany, and, from 1932, in Amsterdam, Holland. The Claimant further stated that her father-in-law perished on 22 October 1943 in Auschwitz. The Claimant indicated that she was born on 2 January 1928 in Gailingen, Germany.

The Claimant submitted documents in support of her claim including her husband’s birth certificate, which indicates that he was born in 1922 and that he father-in-law resided in Leipzig.

The Claimant previously submitted an Initial Questionnaire to the Court in 1999 and an ATAG Ernst & Young claim form in 1998, asserting her entitlement to a Swiss bank account owned by Aron Mueller.

¹ 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 216947.

² The CRT did not locate an account belonging to Aron Mueller 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”).

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Aron Mueller. 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 two 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 2014896

Bank 1's records indicate that Account Owner 1 was A. Müller, who resided in Munich, Germany. Bank 1's records also indicate Account Owner 1's title, his other city and country of residence, and the date of closing of the account at issue.

Account 2107033

Bank 2's records indicate that Account Owner 2 was A. Müller. Bank 2's records also indicate Account Owner 2's first name, occupation and his city and country of residence. Bank 2's records also indicate the name of a power of attorney and their city and country of residence. Finally, Bank 2's records contain Account Owner 2's signature.

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 2014896, the CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Although the name of her father-in-law matches the published first initial and last 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 Bank 1's records. Specifically, the Claimant stated that her father-in-law resided in Leipzig, Germany and Amsterdam, Holland. In contrast, Bank 1's records show that Account Owner 1 resided in Munich, Germany, which is over 400 kilometers from Leipzig. The CRT also notes that the Claimant did not identify Account Owner 1's other city and country of residence, and that she did not identify Account Owner 1's title. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's father-in-law are the same person.

As for Account 2107033, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the name of her father-in-law matches the published first initial and last name of Account Owner 2, the information provided by the Claimant differs

materially from the unpublished information about Account Owner 2 available in Bank 2's records. Specifically, the Claimant stated that her father-in-law's first name was Aron. In contrast, Bank 2's records indicate that Account Owner 2 had a different first name. The CRT also notes that the Claimant stated that her father-in-law resided in Germany and Holland, whereas Bank 2's records show that Account Owner 2 resided in a different country. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's father-in-law are the same person.

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
18 April 2006