

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Tibor Müller

in re Accounts of Julius Müller and Jules Müller

Claim Number: 200263/AY; 729604/AY¹

This Certified Denial is based on the claim of Tibor Müller (the “Claimant”) to an account of Gyula (or Julius) Müller. The CRT did not locate an account belonging to Gyula Müller 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”). This Denial is to the published accounts of Julius Müller (“Account Owner 1”), to the published accounts of Julius Müller (“Account Owner 2”), to the published accounts of Julius Müller (“Account Owner 3”), to the published accounts of Julius Müller (“Account Owner 4”), at the [REDACTED] (“Bank 1”), to the published account of Jules Müller (“Account Owner 5”) and to the published account of Jules Müller (“Account Owner 6”) at the [REDACTED] (“Bank 2”), and to the unpublished account of Jules Müller (“Account Owner 7”) at the [REDACTED] (“Bank 3”).

All denials are published. Where a claimant has not requested confidentiality, as in this case, only the names of the banks have been redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form asserting that his father, Gyula (or Julius) Müller, who was born in Dunaszerdahely, Hungary, on 18 July 1888 and was married to Karolin Müller, née Zwirn, in Budapest, Hungary, on 14 July 1924, owned a Swiss bank account. The Claimant stated that his father owned a flower shop and that he resided in Budapest. The Claimant explained that his father was Jewish and that in 1942, he was deported to a forced labor camp and that he was later deported to a ghetto, where he was detained from 1944 to 1945. The Claimant indicated that his father passed away in Budapest on 22 September 1956. The Claimant stated that he was born in Budapest on 5 September 1925.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by Gyula Müller.

¹ 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 claim and the Initial Questionnaire of the Claimant in one proceeding.

Information Available in the Banks' Records

The CRT notes that the Claimant submitted a claim to an account belonging his relative, Gyula (or Julius) Müller. The auditors who carried out the ICEP Investigation reported eleven accounts whose owners' names match or are substantially similar the alternate name that the Claimant provided for his father. 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.

Accounts 1010697, 1010698

Bank 1's records indicate that Account Owner 1 was Julius Müller, who resided in Germany. Bank 1's records also indicate Account Owner 1's city of residence. Furthermore, Bank 1's records indicate the dates of opening and closing of the accounts at issue.

Accounts 1010699, 1010700

Bank 1's records indicate that Account Owner 2 was Julius Müller, who resided in Austria. Bank 1's records also indicate Account Owner 2's city of residence and occupation. Furthermore, Bank 1's records indicate the dates of opening and closing of the accounts at issue.

Accounts 1010701, 1010702

Bank 1's records indicate that Account Owner 3 was Julius Müller, who resided in Germany. Bank 1's records also indicate Account Owner 3's city of residence and occupation. Furthermore, Bank 1's records indicate the dates of opening and closing of the accounts at issue.

Accounts 1010703, 1010704

Bank 1's records indicate that Account Owner 4 was Julius Müller, who resided in Germany. Bank 1's records also indicate Account Owner 4's city of residence. Furthermore, Bank 1's records indicate the dates of opening and closing of the accounts at issue.

Account 2014863

Bank 2's records indicate that Account Owner 5 was Jules Müller, who resided in Florence, Italy. Bank 2's records also indicate the dates of opening and closing of the account at issue.

Account 2014865

Bank 2's records indicate that Account Owner 6 was Jules Müller, who resided in Florence, Italy. Bank 2's records also indicate the dates of opening and closing of the account at issue.

Account 5032949

Bank 3's records indicate that Account Owner 7 was Jules Müller. Bank 3's records also indicate Account Owner 7's street address, city and country of residence as well as his

profession. Furthermore, Bank 3's records indicate 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.

Identification of the Account Owners

As for Accounts 1010697 and 1010698, 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 published information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant stated that his father resided in Budapest, Hungary. In contrast, Bank 1's records show that Account Owner 1 resided in Germany, a country 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 1010699 and 1010700, 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 both published and unpublished information about Account Owner 2 available in Bank 1's records. Specifically, the Claimant stated that his father resided in Budapest, Hungary. In contrast, Bank 1's records show that Account Owner 2 resided in Austria, a country to which the Claimant did not establish any connection. In addition, while the Claimant indicated that his father owned a flower shop, Bank 1's records show that Account Owner 2 had a different occupation. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's father are the same person.

As for Accounts 1010701 and 1010702, the CRT concludes that the Claimant has not identified Account Owner 3 as his relative. Although the name of his father matches the published name of Account Owner 3, the information provided by the Claimant differs materially from both published and unpublished information about Account Owner 3 available in Bank 1's records. Specifically, the Claimant stated that his father resided in Budapest, Hungary. In contrast, Bank 1's records show that Account Owner 3 resided in Germany, a country to which the Claimant did not establish any connection. In addition, while the Claimant indicated that his father owned a flower shop, Bank 1's records show that Account Owner 3 had a different occupation. Consequently, the CRT is unable to conclude that Account Owner 3 and the Claimant's father are the same person.

As for Accounts 1010703 and 1010704, the CRT concludes that the Claimant has not identified Account Owner 4 as his relative. Although the name of his father matches the published name of Account Owner 4, the information provided by the Claimant differs materially from the published information about Account Owner 4 available in Bank 1's records. Specifically, the Claimant stated that his father resided in Budapest, Hungary. In contrast, Bank 1's records show that Account Owner 4 resided in Germany, a country to

which the Claimant did not establish any connection. Consequently, the CRT is unable to conclude that Account Owner 4 and the Claimant's father are the same person.

As for Account 2014863, the CRT concludes that the Claimant has not identified Account Owner 5 as his relative. Although the name of his father is substantially similar to the published name of Account Owner 5, the information provided by the Claimant differs materially from the published information about Account Owner 5 available in Bank 2's records. Specifically, the Claimant stated that his father resided in Budapest, Hungary. In contrast, Bank 2's records show that Account Owner 5 resided in Florence, Italy, a country to which the Claimant did not establish any connection. Consequently, the CRT is unable to conclude that Account Owner 5 and the Claimant's father are the same person.

As for Account 2014865, the CRT concludes that the Claimant has not identified Account Owner 6 as his relative. Although the name of his father is substantially similar to the published name of Account Owner 6, the information provided by the Claimant differs materially from the published information about Account Owner 6 available in Bank 2's records. Specifically, the Claimant stated that his father resided in Budapest, Hungary. In contrast, Bank 2's records show that Account Owner 6 resided in Florence, Italy, a country to which the Claimant did not establish any connection. Consequently, the CRT is unable to conclude that Account Owner 6 and the Claimant's father are the same person.

As for Account 5032949, the CRT concludes that the Claimant has not identified Account Owner 7 as his relative. Although the name of his father is substantially similar to the unpublished name of Account Owner 7, the information provided by the Claimant differs materially from the unpublished information about Account Owner 7 available in Bank 3's records. Specifically, the Claimant stated that his father resided in Budapest, Hungary. In contrast, Bank 3's records show that Account Owner 7 resided in a country to which the Claimant did not establish any connection. In addition, while the Claimant indicated that his father owned a flower shop, Bank 3's records show that Account Owner 7 had a different occupation. Consequently, the CRT is unable to conclude that Account Owner 7 and the Claimant's father 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 the Special Master, c/o Claims Resolution Tribunal, P.O. Box 9564, 8036 Zurich, Switzerland.

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 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
13 October 2004