

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

Claimed Account Owner: Karl Müller¹

Claim Number: 708140/RT

This Certified Denial is to the claim of [REDACTED] (the “Claimant”) to a Swiss bank account potentially owned by the Claimant’s relative, Karl 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 Karl Müller, who was Jewish, resided in Berlin, Germany, and may also have resided in Switzerland. The Claimant did not provide any further information or documentation about Karl Müller.

The CRT’s Investigation

The CRT matched the name of Karl 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.

¹ The Claimant should note that this determination relates only to the Claim Number and Claimed Account Owner stated above, and that the CRT is aware that the Claimant may have submitted other claims.

The CRT's Analysis

Identification of the Account Owner

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: Carl Müller (Pasing, Germany)

Account Identification Numbers: 5029857; 5033232

Specifically, the Claimant stated that his relative, Karl Müller, resided in Berlin. In contrast, the records show that the account owner resided in Pasing, which is over 500 kilometers from Berlin.

Name: Carl Müller (Spremberg, Germany)

Account Identification Number: 4020277

Specifically, the Claimant stated that his relative, Karl Müller, resided in Berlin. In contrast, the records show that the account owner resided in Spremberg, which is approximately 150 kilometers from Berlin. The CRT notes that Berlin is a major urban center and that Spremberg is a small city, thus rendering it unlikely that a resident of Berlin would indicate Spremberg as his or her place of residence, even for the purpose of maintaining a Swiss bank account.

Name: Carl Gustav Luis Müller (Hamburg, Germany)

Account Identification Numbers: 5034053; 5034063

Specifically, the Claimant stated that his relative, Karl Müller, resided in Berlin. In contrast, the records show that the account owner resided in Hamburg, which is over 250 kilometers from Berlin. The CRT notes that Berlin and Hamburg both are major urban centers, thus rendering it unlikely that a resident of Berlin would indicate Hamburg as his or her place of residence, even for the purpose of maintaining a Swiss bank account. The Claimant also did not identify the account owner's middle names.

Name: Carl Otto Müller (Heidenheim, Germany)

Account Identification Number: 5033560

Specifically, the Claimant stated that his relative, Karl Müller, resided in Berlin. In contrast, the records show that the account owner resided in Heidenheim, which is over 450 kilometers from Berlin. The Claimant also did not identify the account owner's middle name.

Name: Karl Müller (Berlin, Germany)

Account Identification Numbers: 5027495; 5027508

Specifically, the Claimant stated that his relative, Karl Müller, resided in Berlin. The Claimant did not provide any further information or documentation regarding Karl Müller. The CRT determines that in this case, the information and evidence the Claimant submitted in support of his claim did not plausibly demonstrate that the Claimant's relative and the account owner were the same person. This determination is based on a variety of factors, including but not limited to, whether the Claimant identified an exact spelling of the account owner's name; whether the

Claimant was able to provide documentation linking his surname to that of the account owner, thereby demonstrating a familial relationship to a person with the same name as the account owner; whether the Claimant identified the account owner's name prior to its publication; and/or whether the fate of the Claimant's relative is consistent with the disposition of the claimed account. The CRT notes that, according to Article 18 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"), a claim to the CRT is inadmissible if, among other reasons, the claim is based essentially on a statement that the Claimant or his or her relative and the account owner have the same or similar last name, or the Claimant has provided no relevant information and/or documentation regarding his or her relationship to the account owner. In this case, the Claimant either has based his/her claim to this account essentially on the fact that his/her relative and the account owner have the same or similar last name, or has not provided sufficient information or documentation regarding his/her relationship to the account owner, including documentation linking the Claimant's name to that of the account owner. The CRT has deemed this claim admissible to ensure that no Class Member with a Deposited Assets claim is precluded by technical procedural requirements from having his or her claim fairly adjudicated. However, based upon the information provided, the CRT is unable to conclude that the Claimant has identified the account owner as his/her relative.

Name: Karl Müller (Berlin, Germany)

Account Identification Numbers: 5026094; 5031990

Specifically, the Claimant stated that his relative, Karl Müller, resided in Berlin. The Claimant did not provide any further information or documentation regarding Karl Müller. The CRT determines that in this case, the information and evidence the Claimant submitted in support of his claim did not plausibly demonstrate that the Claimant's relative and the account owner were the same person. This determination is based on a variety of factors, including but not limited to, whether the Claimant identified an exact spelling of the account owner's name; whether the Claimant was able to provide documentation linking his surname to that of the account owner, thereby demonstrating a familial relationship to a person with the same name as the account owner; whether the Claimant identified the account owner's name prior to its publication; and/or whether the fate of the Claimant's relative is consistent with the disposition of the claimed account. The CRT notes that, according to Article 18 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"), a claim to the CRT is inadmissible if, among other reasons, the claim is based essentially on a statement that the Claimant or his or her relative and the account owner have the same or similar last name, or the Claimant has provided no relevant information and/or documentation regarding his or her relationship to the account owner. In this case, the Claimant either has based his/her claim to this account essentially on the fact that his/her relative and the account owner have the same or similar last name, or has not provided sufficient information or documentation regarding his/her relationship to the account owner, including documentation linking the Claimant's name to that of the account owner. The CRT has deemed this claim admissible to ensure that no Class Member with a Deposited Assets claim is precluded by technical procedural requirements from having his or her claim fairly adjudicated. However, based upon the information provided, the CRT is unable to conclude that the Claimant has identified the account owner as his/her relative.

Name: Karl Müller (Fürth, Germany)

Account Identification Numbers: 5023720; 5029463

Specifically, the Claimant stated that his relative, Karl Müller, resided in Berlin. In contrast, the records show that the account owner resided in Fürth (in Bayern), which is over 400 kilometers from Berlin. The Claimant also did not identify the power of attorney holder, who was closely related to the account owner.

Name: Karl Müller (Germany)

Account Identification Number: 1000169

Specifically, the Claimant stated that his relative, Karl Müller, resided in Berlin. In contrast, the records show that the account owner resided in a different city, which is over 500 kilometers from Berlin.

Name: Karl Müller (Germany)

Account Identification Number: 1010705

Specifically, the Claimant stated that his relative, Karl Müller, resided in Berlin. In contrast, the records show that the account owner resided in a different city, which is over 400 kilometers from Berlin.

Name: Karl Müller (Rottweil, Germany)

Account Identification Number: 5036114

Specifically, the Claimant stated that his relative, Karl Müller, resided in Berlin. In contrast, the records show that the account owner resided in Rottweil, which is over 700 kilometers from Berlin.

Name: Karl Müller (Wesermünde, Germany)

Account Identification Number: 5034406

Specifically, the Claimant stated that his relative, Karl Müller, resided in Berlin. In contrast, the records show that the account owner resided in Wesermünde (now Bremerhaven), which is over 400 kilometers from Berlin.

Name: Karl Robert Müller (Dresden, Germany)

Account Identification Number: 5024228

Specifically, the Claimant stated that his relative, Karl Müller, resided in Berlin. In contrast, the records show that the account owner resided in Dresden, which is approximately 200 kilometers from Berlin. The CRT notes that Berlin and Dresden both are major urban centers, thus rendering it unlikely that a resident of Berlin would indicate Dresden as his or her place of residence, even for the purpose of maintaining a Swiss bank account.

Name: Karl Müller

Account Identification Numbers: 2015857; 5033568; 5035829

Specifically, the Claimant stated that his relative, Karl Müller resided in Germany and also may have resided in Switzerland. In contrast, the records show that the account owner resided in a different country, which was not identified by the Claimant.

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 has reviewed this claim carefully and analyzed matches to accounts belonging to account owners with alternative spellings of Karl Müller’s last name, which include Mueller, and has determined that these accounts did not belong to the Claimed Account Owner.

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.

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: 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 CRT now considers the Claimant’s claim to the accounts of Karl Müller 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
12 February 2010