

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of S. Müller¹

Claim Number: 206567/MG²

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to an account of Shlomo Miller (Muller). The CRT did not locate an account belonging to Shlomo Miller (Muller) 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 S. Müller (the “Account Owner”) at the [REDACTED] (the “Bank”).

All denials are published, but where a claimant has requested confidentiality, as in this case, the name 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 identifying the Account Owner as her father, Shlomo Miller (Muller), who was born in Felsouviso, Hungary, and was married to [REDACTED], née [REDACTED], in Felsouviso. The Claimant stated that her father, who was Jewish, owned a real estate business, and that he worked and resided at 15 Baylor Street in Felsouviso. The Claimant stated that her father received funds from his sister in America and deposited these funds in a Swiss bank. The Claimant further stated that in April 1944 the Nazis deported her father to Auschwitz, where he was shot in 1945. The Claimant indicated that she was born on 16 June 1928 in Felsouviso.

¹ 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’ names are substantially similar to that of the Claimant’s relative, even if the Claimant did not specifically claim that particular account. Moreover, the CRT recognizes that, in many cases, spellings of names have changed due to the passage of time in the decades since the Second World War, as well as due to the transcription of names into different languages.

² The Claimant submitted an Initial Questionnaire with 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 206567.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by her father, Shlomo Muller.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Shlomo Miller (Muller). The auditors who carried out the ICEP Investigation reported four accounts whose owner's name was substantially similar to 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.

Accounts 1011270, 1011271, 1011272, 1011273

The Bank's records indicate that the Account Owner was S. Müller, who resided in Italy. The Bank's records also indicate the Account Owner's city of residence in Italy, and that he had additional addresses in different countries. The Bank's records also show the Account Owner's profession. Furthermore, the Bank'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 Owner

The CRT concludes that the Claimant has not identified the Account Owner as her relative. Although the name of her father is substantially similar to the published name of the Account Owner, the information provided by the Claimant differs materially from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her father resided in Hungary until his deportation to Auschwitz. In contrast, the Bank's records show that the Account Owner resided in Italy and also had addresses in other countries, which were not identified by the Claimant. Furthermore, the Claimant stated that her father owned a real estate business. In contrast, the Account Owner had a different profession. Consequently, the CRT is unable to conclude that the Account Owner 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 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
30 September 2004