

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Franz Navratil

Claim Number: 217488/MBC¹

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to a Swiss bank account potentially owned by the Claimant’s paternal uncle, Franz Navratil (Nawratil) (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 Form asserting that her paternal uncle, Dr. Franz Navratil, who was born in the 1880s, owned a Swiss bank account that may have been held on behalf of her father, [REDACTED]. The Claimant did not indicate if her uncle was a Victim of Nazi persecution, but did state that her father, [REDACTED] was persecuted for being married to a Jewish woman, and died in November 1939 as a result of Nazi persecution. The Claimant stated her father resided in Stribro (today the Czech Republic).

The Claimant stated that Dr. Franz Navratil was a lawyer and resided in Brno (today the Czech Republic). The Claimant further stated that her uncle died in 1946 or 1947. In support of her claim, the Claimant submitted a letter written by her uncle, using letterhead in which her uncle referred to himself as “Dr.” Franz Nawratil [*sic*].

The Claimant indicated that she was born on 12 July 1923 in Zabreh, (today the Czech Republic).

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 Investigation

The CRT matched the name of Franz Navratil (Nawratil) 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 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: Franz Navratil

Account Identification Numbers: 1010761, 1010762, 1010763

Specifically, the Claimant stated that her uncle resided in Brno (today, the Czech Republic). In contrast, the Bank's record shows that the Account Owner resided in a small village approximately 280 kilometers from Brno. The CRT notes that the Claimant's uncle's city of residence, Brno, is a large urban center with a population of over 400,000, whereas the Account Owner's place of residence is a very small village with a population of less than 800, rendering it unlikely that the Claimant's uncle would indicate a different, distant village as his city of residence, including for purposes of maintaining a bank account. Moreover, the Claimant indicated that her uncle was a lawyer, and she submitted a letter written by her uncle, using letterhead in which her uncle referred to himself as "Dr." Franz Nawratil [sic]. In contrast, the Bank's record indicates that the Account Owner did not use a "Dr." title.

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 Franz Navratil (Nawratil) 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