

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Maurice Nochimowsky

Claim Number: 221964/MG

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the account of Maurice (Moris) Nochimowsky. This Denial is to the published account of Maurice Nochimowsky (the “Account Owner”) at the [REDACTED] (the “Bank”).

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 his uncle, Maurice (Moris) Nochimowsky, who was born on 11 March 1907, owned a Swiss bank account. The Claimant stated that his uncle, who was Jewish, came from the Baltics and was a Latvian national. According to the Claimant, his relative perished during the Holocaust. The Claimant also stated that the name Maurice (Moris) Nochimowsky might also have been used by his great-uncle, Moushe (Moishe) Nochimowsky, or by his great-great-uncle, Mordechai Nochimowsky, both of whom were also from the Baltics. The Claimant indicated that he was born on 6 August 1932 in Daugavpils, Latvia.

The Claimant submitted documents in support of his application, including a copy of his birth certificate.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Maurice (Moris) Nochimowsky. 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 one account whose owner’s name matches that provided by the Claimant. The 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 2014949

The Bank's records indicate that the Account Owner was Maurice Nochimowsky. The Bank's records also indicate the Account Owner's city and country of residence.

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 Owner

The CRT concludes that the Claimant has not identified the Account Owner as his relative. Although the name of his uncle matches the published name of the Account Owner, the information provided by the Claimant differs materially from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that his relative was from the Baltics and that he was Latvian. In contrast, the Bank's records show that the Account Owner was from a different country, which was not identified by the Claimant and to which the Claimant did not establish any connection. The CRT also notes that according to the documents provided by the Claimant, his last name is spelt differently from to the Account Owner's. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's uncle are the same person.

The CRT also notes that the Claimant stated that the name Maurice (Moris) Nochimowsky might have been also used by his great-uncle, [REDACTED], or by his great-great-uncle, [REDACTED], both of whom were also from the Baltics. However, in this case as well, because the Account Owner resided in a different country, the CRT is unable to conclude that the Account Owner and one of the Claimant's relatives' are the same person.

Right of Appeal

Pursuant to Article 30 of the Rules, the Claimant/s 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 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
15 July 2005