

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant Alan Pick  
also acting on behalf of Rene Jacobsohn, Stephen Pick  
and Paula Love

**in re Accounts of Ludwig Pick  
and  
Account of Ida Perutz  
(Power of Attorney Holder Ludwig Pick)<sup>1</sup>**

Claim Number: 501293/SB

This Certified Denial is based on the claim of Alan Pick (the “Claimant”) to the published accounts of Ludwig Pick (“Account Owner 1”) at the [REDACTED] (the “Bank”). This Denial is also to the published account of Ida Perutz (“Account Owner 2”), over which Ludwig Pick (the “Power of Attorney Holder”) held power of attorney, also at the Bank.<sup>2</sup>

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

## **Information Provided by the Claimant**

The Claimant submitted a Claim Form asserting that his paternal great-uncle, Ludwig Pick, who was born on 31 August 1868 in Landsberg, Germany, owned a Swiss bank account. The Claimant stated that his great-uncle, who was Jewish, was a doctor of medicine and held the title of professor. The Claimant further stated that his great-uncle resided at Philipstrasse 21, Berlin, Germany, until 1936 and then Kundendorfstrasse, Berlin. The Claimant stated that his great-uncle intended to marry Anna Clara König on 31 August 1936, but, because she was not Jewish, the marriage was not recognized under Nazi Germany’s Nuremburg racial laws. The Claimant stated that his great-uncle was deported to Theresienstadt in 1943, where he died in 1944. The Claimant stated that on 8 March, 1955, Anna Clara König was finally officially recognized as his

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<sup>1</sup> 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’ or power of attorney holders’ names are the same as that of the Claimant’s relative, even if the Claimant could not identify the owner of the account as his relative.

<sup>2</sup> The CRT notes that, on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons (“ICEP”) to be probably or possibly those of Victims of Nazi Persecution (the “ICEP List”), Ludwig Pick is indicated as the power of attorney for five accounts belonging to Ida Perutz. Upon careful review, the CRT has concluded that the Bank’s records evidence that Ludwig Pick was the power of attorney for only one of the accounts.

great-uncle's wife. The Claimant indicated that he was born on 8 January 1945 in Seattle, Washington, the United States to Ludwig Pick and Estelle Pick, née Klenman.

### **Information Available in the Bank's Records**

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Ludwig Pick. 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 three accounts whose owner's and power of attorney holder's names match that provided by the Claimant. Upon review of the bank documents, the CRT also located one additional account that was not reported by the auditors. 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 5026731, 5026731.1 and 5029226

The Bank's records indicate that Account Owner 1 was Ludwig Pick, who resided in Berlin, Germany. The Bank's records also indicate Account Owner 1's street address and the name of a joint account owner and this person's city and country of residence. Furthermore, the Bank's records indicate the date of closing of the accounts at issue. Finally, the Bank's records contain Account Owner 1's and the joint account owner's signatures.

#### Account 5029909

The Bank's records indicate that Account Owner 2 was Ida Perutz, who resided in Vienna, Austria, and that the Power of Attorney Holder was Ludwig Pick. The Bank's records also indicate Account Owner 2's marital status and street address. Furthermore, the Bank's records indicate the date of closing of the account at issue. Finally, the Bank's records contain Account Owner 2's and the Power of Attorney Holder's signatures.

### **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 Owners

As for Accounts 5026731 and 5029226, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his great-uncle matches the published name of Account Owner 1, the information provided by the Claimant differs from the unpublished information about Account Owner 1 available in the Bank's records. Specifically, the Claimant stated that his great-uncle had the title of professor and was a doctor of medicine.

In contrast, the Bank's records do not show that Account Owner 1 had such titles. Further, the CRT also notes that the Claimant stated that his great-uncle resided at Philipstrasse and Kunzendorfstrasse, Berlin, whereas the Bank's records indicate that Account Owner 1 resided at a different street address. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's great-uncle are the same person. Moreover, it should be noted that the CRT has awarded the accounts to other claimants, who definitely identified Account Owner 1 as their relative. All decisions are published upon release on the CRT's website at [www.crt-ii.org](http://www.crt-ii.org).

As for Account 5029909, the CRT concludes that the Claimant has not identified the Power of Attorney Holder as his relative. Although the name of his great-uncle matches the published name of the Power of Attorney Holder, the information provided by the Claimant differs from the unpublished information about the Power of Attorney Holder contained in the Bank's records. Specifically, the Claimant stated that his great-uncle had the title of professor and was a doctor of medicine. In contrast, the Bank's records do not show that the Power of Attorney Holder had such titles. Consequently, the CRT is unable to conclude that the Power of Attorney Holder and the Claimant's great-uncle are the same person. In addition, the CRT notes that the Claimant did not identify Account Owner 2 as his relative, and that under Swiss law, a power of attorney holder is not considered to be the owner of an account. After a power of attorney holder dies, his or her powers in an account no longer exist, and they do not pass to his or her heirs. Therefore, even if the Claimant had identified the Power of Attorney Holder, but not Account Owner 2, as his relative, the Claimant would not have been entitled to the account unless there was evidence in the Bank's records that the Power of Attorney Holder and Account Owner 2 were related. Moreover, it should be noted that the CRT has awarded the account to other claimants, who definitely identified Account Owner 2 as their relative. All decisions are published upon release on the CRT's website at [www.crt-ii.org](http://www.crt-ii.org).

The CRT notes that the Claimant's father was also named Ludwig Pick, but that the Claimant did not assert that his father was the owner of the claimed account. The Claimant provided very little information about his father, but did state that he was intended to be his great-uncle's heir, but this was not possible because his father was already living in the United States. The CRT further notes that these accounts were awarded to claimants who definitely identified the Account Owners and the Power of Attorney Holder by identifying unpublished information in the Bank's records. The CRT therefore concludes that it is not plausible that the Claimant's father is the Account Owner.

### 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 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, which 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  
29 March 2006