

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimants [REDACTED 1],

[REDACTED 2]

and [REDACTED 3]  
represented by Elisheva Ansbacher

## **in re Accounts of Otto Pick and Accounts of Greta Pick and Account of Margarete Pick**

Claim Numbers: 221837/SB; 401795/SB; 401941/SB<sup>1,2,3</sup>

This Certified Denial is based on the claims of [REDACTED 1] (“Claimant [REDACTED 1]”), [REDACTED 2], née [REDACTED], (“Claimant [REDACTED 2]”) and [REDACTED 3] (“Claimant [REDACTED 3]”) (together the “Claimants”) to the accounts of Otto Pick and Margarete (Greta, Margaretha, Marketa) Pick.<sup>4</sup> This Denial is to the published accounts of Otto Pick (“Account Owner 1”), to the published accounts of Greta Pick (“Account Owner 2”), and to the published account of Margarete Pick (“Account Owner 3”), all 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.

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<sup>1</sup> [REDACTED 3] submitted one additional claim, which is registered under the Claim Number 401944. The CRT will treat this claim in a separate determination.

<sup>2</sup> According to Article 37 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the three claims of the Claimants in one proceeding.

<sup>3</sup> [REDACTED 1] submitted an Initial Questionnaire to 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 221837.

<sup>4</sup> The CRT did not locate an account belonging to Margaretha (Marketa) Pick 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.

## **Information Provided by the Claimants**

The Claimants, who are cousins, each submitted a Claim Form asserting that their uncle, Otto Pick, and his wife, Margarete (Greta) Pick, née Adler, who were Jewish, each owned a Swiss bank account. The Claimants stated that their uncle was born in 1899 and that their aunt was born on 27 October 1905 in Horn, Austria. The Claimants stated that from 1930 their uncle and aunt resided in Prague, Czechoslovakia (today the Czech Republic), until they were deported to a concentration camp, where they both perished. Claimant [REDACTED 1] indicated that he was born on 18 July 1944 in Buenos Aires, Argentina; Claimant [REDACTED 2] indicated that she was born on 19 February 1931 in Vienna, Austria; and Claimant [REDACTED 3] indicated that he was born on 24 June 1927, also in Vienna.

Claimant [REDACTED 3] submitted documents in support of his claim, including a letter from Otto Pick, dated 30 March 1938, which indicates that he resided in Prague.

Claimant [REDACTED 1] previously submitted an Initial Questionnaire to the Court in 1999 asserting his entitlement to a Swiss bank account owned by Otto and Greta Pick.

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

The CRT notes that the Claimants each submitted a claim to an account belonging to their relatives, Otto Pick and Margarete (Greta) 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 six accounts whose owners' names match those provided by the Claimants. 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 1009020, 1009021 and 1009022

The Bank's records indicate that Account Owner 1 was Otto Pick, who resided in Austria. The Bank's records also indicate Account Owner 1's profession, city of residence in Austria and another city and country of residence. The Bank's records also indicate the name of a joint account owner and the dates of closing of the accounts at issue.

### Accounts 1013159 and 1013160

The Bank's records indicate that Account Owner 2 was Greta Pick, who resided in Austria. The Bank's records also indicate Account Owner 2's maiden name, the city of residence in Austria and the dates of closing of the accounts at issue.

## Account 1009019

The Bank's records indicate that Account Owner 3 was Margarete Pick. The Bank's records also indicate Account Owner 3's city and country of residence, together with the dates of opening and closing of the account at issue.

## **The CRT's Analysis**

### Admissibility of the Claims

The CRT has determined that the claims are 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 1009020, 1009021 and 1009022, the CRT concludes that the Claimants have not identified Account Owner 1 as their relative. Although the name of their uncle matches the published name of Account Owner 1, the information provided by the Claimants differs materially from the published and unpublished information about Account Owner 1 available in the Bank's records. Specifically, the Claimants stated that from 1930, their uncle resided in Prague, today the Czech Republic. In contrast, the Bank's records show that during this period Account Owner 1 resided in Austria and another country. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimants' uncle are the same person. Moreover, it should be noted that the CRT has awarded the accounts to another claimant who plausibly identified Account Owner 1 as her relative. All decisions are published upon release on the CRT's website at [www.crt-ii.org](http://www.crt-ii.org).

As for Accounts 1013159 and 1013160, the CRT concludes that the Claimants have not identified Account Owner 2 as their relative. Although the name of their aunt matches the published name of Account Owner 2, the information provided by the Claimants differs materially from the published information about Account Owner 2 available in the Bank's records. Specifically, the Claimants stated that their aunt's maiden name was Adler. In contrast, the Bank's records show that Account Owner 2 had a different maiden name. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimants' aunt are the same person. Moreover, it should be noted that the CRT has awarded the accounts to another claimant who plausibly identified Account Owner 2 as her 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 1009019, the CRT concludes that the Claimants have not identified Account Owner 3 as their relative. Although the name of their aunt matches the published name of Account Owner 3, the information provided by the Claimants differs from the unpublished information about Account Owner 3 available in the Bank's records. Specifically, the Claimants stated that from 1930, their aunt resided in Prague, the Czech Republic. In contrast, the Bank's records show that during this period Account Owner 3 resided in a town which is over 80 kilometers from Prague. The CRT notes the Claimants' aunt's place of residence, Prague, is a

major urban center, rendering it unlikely that she would indicate a distant town as a place of residence, even for the purposes of maintaining a bank account. Consequently, the CRT is unable to conclude that Account Owner 3 and the Claimants' aunt are the same person.

### Right of Appeal

Pursuant to Article 30 of the Rules, the Claimants 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 Claimants 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 Claimants 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 Claimants should be aware that the CRT will carry out further research on their claims to determine whether an award may be made based upon the information provided by the Claimants or upon information from other sources.

### **Certification of the Denial**

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal  
8 August 2006