

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

**in re Account of Rudolf Pick
and
Account of Josef Blum¹
and
Joseph Blum**

Claim Numbers: 202383/PY/AY; 202384/PY/AY; 600916/PY/AY^{2, 3, 4}

This Certified Denial is based on the claims of Dr. [REDACTED] (the “Claimant”) to the published account of Rudolf Pick and to an account of David Pick, Josip (Joseph, Jozef, Jozsi or Joshka) Blum and a company called *Planta*. The CRT did not locate an account belonging to David Pick, Josip (or Jozef, Jozsi, Joshka) Blum, or *Planta* 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 account of Rudolf Pick (“Account Owner 1”), to the published account of Josef Blum (“Account Owner 2”), and the published account of Joseph Blum (“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 owners, and the bank have been redacted.

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 any and all accounts whose owners’ names are substantially similar to those 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.

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 202383.

³ The Claimant submitted a claim, numbered B-00778, on 9 March 1998, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 600916.

⁴ 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 Claimant in one proceeding.

Information Provided by the Claimant

The Claimant submitted a Claim Form and an Initial Questionnaire asserting that his paternal uncle, Josip (Jozef, Jozsi, or Joshka) Blum, who was born in approximately 1902 in Slavonska Pozega or Slavonski Brod, Yugoslavia, and was married to [REDACTED] in approximately 1938 in Yugoslavia, owned a Swiss bank account. The Claimant stated that his uncle, who was Jewish, resided in Slavonska Pozega and Begej Sveti Djurdj, Yugoslavia. The Claimant stated further that his uncle was a pharmacist who owned a drug and herbal remedy manufacturing plant named *Planta*, which was located in Begej Sveti Dujardj, and indicated that the herbal remedies produced there were exported to Switzerland. According to the Claimant, his uncle and his family were killed by the Croatian Ustasha regime in 1941 or 1942, after the German occupation of Yugoslavia.

The Claimant also submitted a Claim Form asserting that his maternal uncle, Rudolf (Rudolph) Pick, who was born in approximately 1903 in Pakrac, Yugoslavia, and was married to [REDACTED] in approximately 1928 in Pakrac, owned a Swiss bank account. The Claimant stated that his uncle, who was Jewish, resided in Pakrac. The Claimant stated further that his uncle was a businessman who owned, together with his father [REDACTED], an agricultural products and construction material company in Zagreb, Yugoslavia and who was also a co-owner of *Pakrac Bank*. According to the Claimant, his uncle and his family were killed by the Croatian Ustasha regime in 1941 or 1942, after the German occupation of Yugoslavia. The Claimant indicated that he was born on 12 June 1932 in Subotica, Yugoslavia.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by Josip (Jozsi) Blum and *Planta*.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted claims to an account belonging to his relatives, Rudolf (Rudolph) Pick and Josip (Jozef, Jozsi or Joshka) Blum. The auditors who carried out the ICEP Investigation reported three accounts whose owners' names match or are substantially similar to those 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.

Account 5024027

The Bank's records indicate that Account Owner 1 was Rudolf Pick, who resided in Zagreb, Yugoslavia and that the Power of Attorney Holder was Ida Pick. The Bank's records further indicate Account Owner 1's and the Power of Attorney Holder's street address. The Bank's records also indicate Account Owner 1's and the Power of Attorney Holder's alternate city and country of residence and provide Account Owner 1's wife's name. Finally, the Bank's records contain Account Owner 1's and the Power of Attorney Holder's signatures.

Account 5034436

The Bank's records indicate that Account Owner 2 was Josef Blum, who resided in Freiburg, Germany.

Account 5035284

The Bank's records indicate that Account Owner 2 was Joseph Blum, who resided in Bombay, India.

The CRT's Analysis

Admissibility of the Claim

The CRT has determined that the claims are admissible according to Article 18 of the Rules.

Identification of the Account Owners

As for Account 5024027, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his uncle matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 1 available in the Bank's records. Specifically, the Claimant stated that his uncle was married to [REDACTED] and resided in Pakrac, Yugoslavia. In contrast, the Bank's records show that Account Owner 1's wife had a different name and that he resided in Zagreb, Yugoslavia and in additional city in a different country, to which the Claimant did not established any connection. In addition, the CRT notes that the Claimant did not identify the Power of Attorney Holder as his relative. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's uncle are the same person.

As for Account 5034436, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his uncle is substantially similar to the published name of Account Owner 2, the information provided by the Claimant differs materially from the published information about Account Owner 2 available in the Bank's records. Specifically, the Claimant stated that his uncle was born and resided in Yugoslavia. In contrast, the Bank's records show that Account Owner 2 resided in Freiburg, Germany. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's uncle are the same person.

As for Account 5035284, the CRT concludes that the Claimant has not identified Account Owner 3 as his relative. Although the name of his uncle is substantially similar to the published name of Account Owner 3, the information provided by the Claimant differs materially from the published information about Account Owner 3 available in the Bank's records. Specifically, the Claimant stated that his uncle was born and resided in Yugoslavia. In contrast, the Bank's records show that Account Owner 3 resided in Bombay, India. Consequently, the CRT is unable to conclude that Account Owner 3 and the Claimant's uncle 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 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
19 November 2004