

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED 1]
also acting on behalf of [REDACTED 2]
represented by Hubert Lang

**in re Accounts of Erna Johanna Reinhold
and
Account of Johanna Gutmann¹**

Claim Number: 204560/MG

This Certified Denial is based on the claim of [REDACTED 1] (the “Claimant”) to the account of Johanna Erna Reinhold, née Guttmann. This Denial is to the published account of Erna Johanna Reinhold (“Account Owner 1”) at the [REDACTED] (“Bank 1”), to the published account of Johanna Gutmann (“Account Owner 2”) at the [REDACTED] (“Bank 2”), and to the unpublished account of Johanna Reinhold (“Account Owner 3”) at the [REDACTED] (“Bank 3”).

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 grandmother, Johanna Erna Reinhold, née Guttmann, who was born on 3 June 1871 in Wloszczowa, Poland, and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that his grandmother, who was Jewish, resided in Dresden, Germany. The Claimant further stated that his grandmother was deported and that she perished in 1943 in Auschwitz. The Claimant indicated that he was born on 24 August 1921 in Leipzig, Germany.

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 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, as well as due to the transcription of names into different languages.

The Claimant submitted documents in support of his application, including: (1) inheritance documents indicating that the Claimant's grandmother was the wife of [REDACTED] and her maiden name was Guttman; and (2) an extract from a family registry.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Johanna Erna Reinhold, née Guttman. 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 names match or are substantially similar to that 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 5034075

Bank 1's records indicate that Account Owner 1 was Erna Johanna Reinhold, who resided in Dresden, Germany. Bank 1's records also indicate Account Owner 1's maiden name and the name of the joint account owner, who appears to be closely related to Account Owner 1. Furthermore, Bank 1's records indicate the date of opening of the account at issue. Finally, Bank 1's records contain Account Owner 1's signature.

Account 4019880

Bank 2's records indicate that Account Owner 2 was Johanna Gutman, who resided in Frankfurt am Main, Germany. Bank 1's records also indicate the name of Account Owner 2's husband. Furthermore, Bank 2's records indicate the date of opening and closing of the account at issue.

Account 2016290

Bank 3's records indicate that Account Owner 3 was Johanna Reinhold. Bank 3's records also indicate Account Owner 3's country and city of residence and her street address. In addition, Bank 3's records indicate the name of the joint account owner, who resided at the same address as Account Owner 3.

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 Account 5034075, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his grandmother is substantially similar to the published name of Account Owner 1, the information provided by the Claimant differs materially from the unpublished information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant stated that his grandmother's maiden name was Guttman. In contrast, Bank 1's records show that Account Owner 1 had a different maiden name. In addition, the CRT notes that the Claimant did not identify the name of the joint account owner who seems to be closely related to Account Owner 1. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's grandmother are the same person.

As for Account 4019880, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the maiden name of his grandmother is substantially similar to the published name of Account Owner 2, the information provided by the Claimant differs materially from the unpublished information about Account Owner 2 available in Bank 2's records. Specifically, the Claimant stated that his grandmother's maiden name was Guttman and that she was married to [REDACTED]. In contrast, Bank 2's records show that Account Owner 2 had a different spouse. Moreover, the Claimant stated that his grandmother resided in Dresden, Germany. In contrast, Bank 2's records show that Account Owner 2 resided in Frankfurt am Main, Germany, a city to which the Claimant did not establish any connection. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's grandmother are the same person.

As for Account 2016290, the CRT concludes that the Claimant has not identified Account Owner 3 as his relative. Although the name of his grandmother matches the unpublished name of Account Owner 3, the information provided by the Claimant differs materially from the unpublished information about Account Owner 3 available in Bank 3's records. Specifically, the Claimant did not identify the joint account owner, although he resided at the same street address as Account Owner 3. Moreover, the Claimant stated that his grandmother resided in Dresden, Germany. In contrast, Bank 3's records show that Account Owner 3 resided in a city which is more than 400 kilometers from Dresden, and to which the Claimant did not establish any connection. Consequently, the CRT is unable to conclude that Account Owner 3 and the Claimant's grandmother 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
10 December 2004