

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimants [REDACTED 1] and [REDACTED 2]

in re Accounts of E. Ritter¹

Claim Numbers: 206993/PY/AX; 211030/PY/AX^{2,3}

This Certified Denial is based on the claims of [REDACTED 1] (“Claimant [REDACTED 1]”) and [REDACTED 2], née [REDACTED], (“Claimant [REDACTED 2]”) (together the “Claimants”) to the accounts of Emanuel Ritter and Joseph Ritter. The CRT did not locate an account belonging to Emanuel Ritter or Joseph Ritter 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 accounts of E. Ritter (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 Claimants

Claimant [REDACTED 1] submitted a Claim Form asserting that his father, Emanuel Ritter, who was married to [REDACTED], née [REDACTED], owned a Swiss bank account. Claimant [REDACTED 1] stated that his father, who was Jewish, was a businessman who held Czechoslovakian citizenship. Claimant [REDACTED 1] further stated that his father lived in Olka, Czechoslovakia, until 1944. Claimant [REDACTED 1] indicated that [REDACTED], [REDACTED], [REDACTED], and the Claimant himself were the children of Emanuel Ritter.

¹ In an effort to locate any and all accounts that might have belonged to the Claimants’ relative, the CRT has reviewed and analyzed all accounts whose owners’ names are substantially similar to that of the Claimant’s relative, even if the Claimant did not specifically claim that particular account.

² 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 two claims of the Claimants in one proceeding.

³ Claimant [REDACTED 1] and Claimant [REDACTED 2] each submitted an Initial Questionnaire with the Court in 1999 and a Claim Form to the CRT. The CRT is treating the Initial Questionnaires and the Claim Forms under the consolidated Claim Numbers 206993 and 211030, respectively.

Claimant [REDACTED 1] also indicated that he was born on 21 October 1923 in Vys-Olka, Czechoslovakia.

Claimant [REDACTED 1] previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by his father, Emanuel Ritter.

Claimant [REDACTED 2] submitted a Claim Form asserting that her father-in-law, Emanuel Ritter, who was born on 15 April 1887 in Czechoslovakia and was married to [REDACTED], née [REDACTED], owned a Swiss bank account. Claimant [REDACTED 2] identified her father-in-law as the owner of a lumber business in Humenné, Czechoslovakia, and stated that from 1887 to 1942 he resided in Olka, Czechoslovakia. Claimant [REDACTED 2] further indicated that her father-in-law, who was Jewish, went into hiding during the Second World War and that he died in 1968 in Montreal, Canada. Claimant [REDACTED 2] stated that she was born on 2 January 1923 in Medzillaborcei, Czechoslovakia, and that she is the widow of [REDACTED], Emanuel Ritter's son. In support of her claim, Claimant [REDACTED 2] submitted several documents, including copies of her late husband's birth certificate and his identity card.

Claimant [REDACTED 2] previously submitted an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Joseph Ritter.

Information Available in the Bank's Records

The CRT notes that the Claimants submitted claims to an account belonging to their relative, Emanuel Ritter. The auditors who carried out the ICEP investigation reported five accounts whose owner's name is substantially similar to that 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 1011277, 1011278, 1011279, 1011280, 1011281

The Bank's records indicate that the Account Owner was E. Ritter, who resided in Germany. The Bank's records also indicate that the Account Owner was female, and show her first name and an additional family name, city of residence, and the names of two joint account owners who appear to be related to the Account Owner. Furthermore, the Bank's records indicate the dates of opening and closing of several of the accounts 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.

Identification of the Account Owner

The CRT concludes that the Claimants have not identified the Account Owner as their relative. Although the name of their relative is substantially similar to the published first initial and last name of the Account Owner, the information provided by the Claimants differs materially from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Account Owner was female, and had a different first name than the Claimants' relative. Furthermore, the Claimants indicated that their relative lived in Czechoslovakia, whereas the Account Owner resided in Germany. Finally, the Claimants did not identify the names of the joint account owners, although they appear to be related to the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimants' relative 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 the Special Master, c/o Claims Resolution Tribunal, P.O. Box 9564, 8036 Zurich, Switzerland.

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 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 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
30 September 2004