

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]
represented by Miriam Hauptman

in re Account of J. Salomon

Claim Number: 206884/WM; 600394/WM^{1, 2}

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to an account of Yaakov Leser Salomon (Salaman). This Denial is to the published account of J. Salomon (the “Account Owner”) at the [REDACTED] (the “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 to the Holocaust Claims Processing Office (“HCPO”) in 1998 and a Claim Form to the CRT asserting that her maternal grandfather, Yaakov Leser Salomon (Salaman), who was married to [REDACTED], née [REDACTED], owned a Swiss bank account. The Claimant stated that her grandfather, who was Jewish, was a banker who owned a bank in Radomysl, Poland, and real estate in Krakow, Poland, where he resided until 1942, when he was murdered by the Nazis in Dabrowa, Poland. The Claimant indicated that she was born on 19 July 1922 in Krakow.⁴

¹ The Claimant submitted a claim, numbered B-00787, 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. The Claimant also submitted an ATAG Ernst & Young claim form in 1998 and an Initial Questionnaire with the Court in 1999. The CRT is treating the HCPO claim, the ATAG Ernst & Young claim and the IQ under the consolidated Claim Number 600394.

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 Claimant in one proceeding.

³ The CRT did not locate an account belonging to Yaakov Leser Salomon (Salaman), 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”).

⁴ The Claimant submitted documents in support of her application, including copies of her own passport and birth certificate. The CRT notes that the Claimant’s passport indicates that the Claimant was born on 19 July 1923.

The Claimant previously submitted an ATAG Ernst & Young claim form in 1998 and an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Yaakov Salomon.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted claims to accounts belonging to her relative, Yaakov Leser Salomon. 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 one account whose owner's name matches that provided by the Claimant. The 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 5026106

The Bank's records indicate that the Account Owner was J. Salomon, who resided in Strasbourg, France. The Bank's records also indicate the Account Owner's street address and profession.

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 Owner

The CRT concludes that the Claimant has not identified the Account Owner as her relative. Although the name of her grandfather is substantially similar to the published name of the Account Owner, the information provided by the Claimant differs materially from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that grandfather, a banker, who owned a bank in Radomysl and real estate in Krakow, resided in Poland until his death at the hands of the Nazis in 1942. In contrast, the Bank's records indicate that the Account Owner resided in Strasbourg, France, and had a different profession. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandfather 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 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 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 her 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
30 September 2005