

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Alfred Salomon

in re Accounts of Meta Salomon and Accounts of Albert Salomon

Claim Numbers: 001925/MG; 208829^{1,2,3}

This Certified Denial is based on the claims of Alfred Salomon (the “Claimant”) to the published accounts of Meta Salomon (“Account Owner 1”), and to the published accounts of Albert Salomon (“Account Owner 2”), all at the [REDACTED] (the “Bank”).

All denials are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

Information Provided by the Claimant

The Claimant submitted Claim Forms, asserting that his sister, Meta Salomon, and his uncle, Albert Salomon, both owned a Swiss bank account. The Claimant stated that his sister, who was Jewish, was born on 1 April 1910 in Altenkirchen, where she resided until 1938, and that his uncle, who was Jewish, resided in Bochum, Germany. The Claimant did not provide further details regarding his relatives’ fate. The Claimant indicated that he was born on 24 February 1922 in Altenkirchen.

The Claimant submitted documents in support of his claim, including a copy of his sister’s birth certificate, dated 9 January 1956, indicating that she resided in Altenkirchen.

¹ The Claimant submitted one additional claim, which is registered under the Claim Number 002520. The CRT will treat this claim in a separate determination.

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 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 002520.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted claims to accounts belonging to his relatives, Meta Salomon and Albert 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 four accounts whose owners' names match 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.

Accounts 1010993 and 1010994

The Bank's records indicate that Account Owner 1 was Meta Salomon, who resided in Germany. The Bank's records also indicate Account Owner 1's city of residence and the dates of closing of the accounts at issue.

Accounts 1013184 and 1013185

The Bank's records indicate that Account Owner 2 was Albert Salomon, who resided in Germany. The Bank's records also indicate Account Owner 2's city of residence and the dates of opening and closing 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 Governing the Claims Resolution Process, as amended (the "Rules").

Identification of the Account Owners

As for Accounts 1010993 and 1010994, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his sister matches 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 the Bank's records. Specifically, the Claimant stated that his sister resided in Altenkirchen until 1938. In contrast, the Bank's records show that Account Owner 1 resided in another city, which is over 100 kilometers from Altenkirchen. The CRT notes that within a distance of less than 100 kilometers from the Claimant's sister's place of residence, Altenkirchen, there are other large cities, including Cologne, making it unlikely that the Claimant's sister would use a more distant city as her address, even for the purpose of maintaining a bank account. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's sister 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 his relative. All decisions are published upon release on the CRT's website at www.crt-ii.org.

As for Accounts 1013184 and 1013185, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his uncle matches 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 the Bank's records. Specifically, the Claimant stated that his uncle resided in Bochum. In contrast, the Bank's records show that Account Owner 2 resided in another city, which is over 200 kilometers from Bochum. The CRT notes that within a distance of less than 100 kilometers from the Claimant's uncle's place of residence, Bochum, there are several major cities, making it unlikely that the Claimant's uncle would use a more distant city as his address, even for the purpose of maintaining a bank account. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's uncle are the same person.

Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules, the Claimant may appeal this decision or submit a request for reconsideration within ninety (90) days of the date of the letter accompanying this decision.

An appeal must be based upon a plausible suggestion of error regarding the CRT's conclusions set out in this decision. Any appeals which are submitted without a plausible suggestion of error shall be summarily denied. A request for reconsideration must be based on new documentary evidence not previously presented to the CRT that, if considered, would have led to a different outcome of the claim. Claimants should briefly explain the relevance of the newly submitted documents in view of the conclusions stated in the certified decision.

The Claimant should send appeals and/or requests for reconsideration in writing to the following address: Oren Wiener, Claims Resolution Tribunal, Attention: Appeals / Request for Reconsideration, P.O. Box 9564, 8036 Zurich, Switzerland. If more than one account has been treated in this decision, the Claimant should identify the account, including, where available, the Account Identification Number, that forms the basis of the appeal and/or request for reconsideration.

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
23 March 2007