

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Saul Schapira

Claim Number: 005127/AH; 005143/AH¹

This Certified Denial is based on the claims of [REDACTED], née [REDACTED], (the “Claimant”) to accounts of Saul or Hermann Zeinvel Schapira, Hermann Zvi Schapira, Hersch Schapira, Samuel Erench Brecher and Golda Gizela Brecher, née Wagner. The CRT did not locate an account belonging to Hermann Schapira, Zeinvel Schapira, Hermann Zvi Schapira, Hersch Schapira, Samuel Erench Brecher, Golda Gizela Brecher, or Golda Gizela Wagner 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 Saul Schapira (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 Claimant

The Claimant submitted two Claim Forms asserting that her paternal grandfather, Saul or Hermann Zeinvel Schapira, owned a Swiss bank account. The Claimant stated that her grandfather deposited money in Zurich, Switzerland, where his son, [REDACTED] (the Claimant’s father), went to school. The Claimant further stated that her grandfather and his family resided in Bukovina, Romania. The Claimant indicated that her grandfather, who was Jewish, was deported to a concentration camp. The Claimant indicated that she was born on 1 November 1933 in Bukovina.

The Claimant submitted documents in support of her application, including a copy of her birth certificate.

¹ The Claimant submitted an Initial Questionnaire with the Court in 1999 and two Claim Forms to the CRT. The CRT is treating the Initial Questionnaire and the Claim Forms under the consolidated Claim Numbers 005127 and 005143, respectively.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Saul or Hermann Zeinvel Schapira. The auditors who carried out the ICEP Investigation reported one account whose owner's name was substantially similar to that provided by the Claimant. Upon review of the Bank's documents, the CRT also located one additional account that was not reported by the auditors. 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 5033666, 5033666.1

The Bank's records indicate that the Account Owner was Saul Schapira who resided in Vienna, Austria, and that the Power of Attorney Holder was Bernhard Schapira. The Bank's records also indicate the Account Owner's street address and title, as well as the street address of the Power of Attorney Holder. Finally, the Bank's records indicate the closing date of one of the accounts at issue.

The CRT's Analysis

Admissibility of the Claim

The CRT has determined that the claim is admissible according to Article 18 of 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 her grandfather resided in Romania, and had connections to Switzerland. In contrast, the Bank's records show that the Account Owner resided in Austria. Furthermore, the Claimant did not identify the Power of Attorney Holder although he shared the same last name as the Account Owner. Finally, the CRT notes that the Claimant did not identify the Account Owner's title. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandfather are the same person. Moreover, it should be noted that the CRT has awarded the accounts to a claimant who plausibly identified the Account Owner as his relative by identifying unpublished information about the Account Owner as contained in the Bank's records. All decisions are published upon release on the CRT's website at www.crt-ii.org.

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 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
13 October 2004