

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]
represented by Hayk Hunanyan and Aris Hunanyan

**in re Account of Olga Schaub-Zimmermann
and
Account of O. Zimmermann**

Claim Number: 213593/SB^{1, 2}

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the account of Olga (Aline) Zimmermann (Zaiser).³ This Denial is to the published account of Olga Schaub-Zimmermann (“Account Owner 1”) at the [REDACTED] (“Bank 1”), and to the published account of O. Zimmermann (“Account Owner 2”) at the [REDACTED] (“Bank 2”).

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 her maternal great-aunt, Olga Zimmermann, who was born in Germany, owned a Swiss bank account. The Claimant stated that her great-aunt, who was Jewish, was the daughter of [REDACTED] and [REDACTED] and was an antiques dealer who resided in Berlin, Germany. The Claimant stated that her great-aunt died in 1983 in Baku (today part of Azerbaijan). The Claimant indicated that she was born on 15 May 1959 in Yerevan (today part of Armenia).

¹ The Claimant submitted four additional claims, which are registered under the Claim Numbers 207309, 210900, 212723 and 213967. The CRT will treat these claims in separate determinations.

² The Claimant submitted Initial Questionnaires to the Court in 1999 and Claim Forms to the CRT. The CRT is treating the Initial Questionnaires under the Claim Numbers 738633, 738634, 738635, 738637 and 738638. The CRT will treat these claims in separate determinations.

³ The CRT did not locate an account belonging to Olga (Aline) Zimmermann (Zaiser) 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”).

Information Available in the Banks' Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Olga Zimmermann. 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 is substantially similar to that provided by the Claimant. In addition, documents evidencing an account belonging to O. Zimmermann were obtained from archival sources in Germany. Each account is identified below by its Account Identification Number, which is a number assigned to the account for tracking purposes.

Account 2016736

Bank 1's records indicate that Account Owner 1 was Olga Zimmermann. Bank 1's records also indicate Account Owner 1's alternative name of Olga Schaub-Zimmermann and her year of birth.

Account 6002251

The German Archive records indicate that Account Owner 2 was O. Zimmermann. The German Archive records also indicate Account Owner 2's gender, profession, street address and city and country of residence.

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 2016736, the CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Although the name of her great-aunt is substantially similar to the published name of Account Owner 1, the information provided by the Claimant differs materially from the published information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant stated that her great-aunt had the last name of Zimmermann, or Zaiser, and was the daughter of Josef Weinberger (Arakalow) and Sarah Zimmermann. In contrast, Bank 1's records show that Account Owner 1 had the last name of Schaub-Zimmermann, which the Claimant did not identify. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's great-aunt are the same person.

As for Account 6002251, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the name of her great-aunt matches the published first name initial and last name of Account Owner 2, the information provided by the Claimant differs

materially from the unpublished information about Account Owner 2 available in the German Archive records. Specifically, the Claimant claimed an account belonging to her great-aunt. In contrast, the German Archive records show that Account Owner 2 was male. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's great-aunt are the same person.

Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules Governing the Claims Resolution Process, as amended (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 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
27 February 2007