

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

**Claimed Account Owners: Ernst Schimke, Fritz Schimke,
Heinrich Schmidt, Hugo Schmidt and Wilhelm Schmidt¹**

Claim Numbers: 400515/HU; 400516/HU; 400517/HU; 401389/HU

This Certified Denial is to the claim of [REDACTED] (the “Claimant”) to Swiss bank accounts published on the list of account owners in 2005 and potentially owned by the Claimant’s relatives, Ernst Schimke, Fritz Schimke, Heinrich Schmidt, Hugo Schmidt and Wilhelm Schmidt (the “Claimed Account Owners”).

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 stating that Ernst Schimke, Fritz Schimke, Heinrich Schmidt, Hugo Schmidt and Wilhelm Schmidt, who were Jewish, all resided in the Ukraine.

The CRT’s Investigation

The CRT matched the name of Ernst Schimke, Fritz Schimke, Heinrich Schmidt, Hugo Schmidt and Wilhelm Schmidt to the names of all account owners in the Account History Database and identified accounts belonging to individuals whose names match, or are substantially similar to, the name of the Claimed Account Owners. In doing so, the CRT used advanced name matching systems and computer programs, and considered variations of names, including name variations provided by Yad Vashem, The Holocaust Martyrs’ and Heroes’ Remembrance Authority, in Jerusalem, Israel, to ensure that all possible name matches were identified. However, a close review of the relevant bank records indicated that the information contained therein was inconsistent with the information the Claimant provided regarding the Claimed Account Owners. Accordingly, the CRT was unable to conclude that any of these accounts belonged to the Claimed Account Owners.

¹ The Claimant should note that this determination relates only to the Claim Number and Claimed Account Owners stated above, and that the CRT is aware that the Claimant may have submitted other claims.

The CRT's Analysis

Identification of the Account Owners

The list below contains names of account owners that match the names of the Claimed Account Owners and the reasons why the CRT has concluded that the Claimed Account Owners and an account owner are not the same person. If an account owner's place of residence was published, that place of residence is also listed.

Names: Ernst Schimke (account owner) and Fritz Schimke (account owner)

Account Identification Number: 5036047

Specifically, the Claimant stated that his relatives, Ernst Schimke and Fritz Schimke, resided in the Ukraine. In contrast, the records show that account owners resided in a different country.

Names: Ernst Schimke (account owner) and Fritz Schimke (power of attorney holder)

Account Identification Numbers: 5023981, 5026410 and 5029344

Specifically, the Claimant stated that his relatives, Ernst Schimke and Fritz Schimke, resided in the Ukraine. In contrast, the records show that the account owner and power of attorney holder resided in a different country.

Names: Fritz Schimke (account owner) and Ernst Schimke (power of attorney holder)

Account Identification Number: 5026425

Specifically, the Claimant stated that his relatives, Fritz Schimke and Ernst Schimke, resided in the Ukraine. In contrast, the records show that the account owner and power of attorney holder resided in a different country.

Names: Ernst Schimke and Fritz Schimke (both power of attorney holders)

Account Identification Number: 5024828

Specifically, the Claimant stated that his relatives, Ernst Schimke and Fritz Schimke, resided in the Ukraine. In contrast, the records show that power of attorney holders resided in a different country. The CRT also notes that the Claimant did not identify the account owner, even though this person appears to be closely related to the power of attorney holders.

Name: Wilhelm Schmidt

Account Identification Number: 1012990

Specifically, the Claimant stated that his relative, Wilhelm Schmidt, resided in the Ukraine. In contrast, the records show that the account owner resided in a different country.

Name: Heinrich Schmidt

Account Identification Number: 1000521

Specifically, the Claimant stated that his relative, Heinrich Schmidt, resided in the Ukraine. In contrast, the records show that the account owner resided in a different country.

Name: Heinrich Schmidt

Account Identification Number: 1012775

Specifically, the Claimant stated that his relative, Heinrich Schmidt, resided in Ukraine. In contrast, the records show that the account owner resided in a different country.

Name: Hugo Schmidt

Account Identification Number: 1012268

Specifically, the Claimant stated that his relative, Hugo Schmidt, resided in the Ukraine. In contrast, the records show that the account owner resided in a different country.

Name: Hugo Schmidt

Account Identification Number: 1012269

Specifically, the Claimant stated that his relative, Hugo Schmidt, resided in the Ukraine. In contrast, the records show that the account owner resided in a different country.

Name: Hugo Schmidt

Account Identification Number: 1012779 and 1012780

Specifically, the Claimant stated that his relative, Hugo Schmidt, resided in the Ukraine. In contrast, the records show that the account owner resided in a different country.

The Claimant should note that all accounts awarded by the CRT are published upon release on the CRT's website at www.crt-ii.org.

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 CRT now considers the Claimant's claim to the accounts of Ernst Schimke, Fritz Schimke, Heinrich Schmidt, Hugo Schmidt and Wilhelm Schmidt closed. Please note that this decision applies only to the Claim Number and Claimed Account Owners identified herein, and that the CRT is aware that the Claimant may have claimed accounts held by other persons or entities both in the Claim Number specified above and in other claims submitted to the CRT.

Certification of the Denial

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal
12 April 2007