

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

**Claimed Account Owner: Wilhelm Schmidt<sup>1</sup>**

Claim Number: 709787/RT

This Certified Denial is to the claim of [REDACTED] (the “Claimant”) to a Swiss bank account potentially owned by the Claimant’s relative, Wilhelm Schmidt (the “Claimed Account Owner”).

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 Wilhelm Müller resided in Dresden, where he was a horse trader and had a transport business. In a telephone conversation with the CRT, the Claimant further stated that Wilhelm Schmidt, who was half-Jewish and half-Sinti, was married to [REDACTED], and that he perished in the Holocaust.

### **The CRT’s Investigation**

The CRT matched the name of 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 Owner. 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 Owner. Accordingly, the CRT was unable to conclude that any of these accounts belonged to the Claimed Account Owner.

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<sup>1</sup> The Claimant should note that this determination relates only to the Claim Number and Claimed Account Owner 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 name of the Claimed Account Owner and the reasons why the CRT has concluded that the Claimed Account Owner 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.

*Name: Wilhelm Schmidt (Niederhof, Germany)<sup>2</sup>*

*Account Identification Number: 1012511*

*Specifically, the Claimant stated that his relative, Wilhelm Schmidt, resided in Dresden. In contrast, the records show that the account owner resided in a different city, which is over 400 kilometers from Dresden.*

*Name: Wilhelm Schmidt (Germany)*

*Account Identification Numbers: 1012586; 1012587; 1012588; 1012589; 1012590*

*Specifically, the Claimant stated that his relative, Wilhelm Schmidt, resided in Dresden. In contrast, the records show that the account owner resided in a different city, which is over 500 kilometers from Dresden.*

*Name: Wilhelm Schmidt (Sommerfeld, Germany)*

*Account Identification Numbers: 5029242; 5029787*

*Specifically, the Claimant stated that his relative, Wilhelm Schmidt, was married to [REDACTED], and resided in Dresden. In contrast, the records show that the account owner was married to a different person and resided in Sommerfeld, which is over 150 kilometers from Dresden.*

*Name: Wilhelm Schmidt (Dresden, Germany)*

*Account Identification Number: 5029596*

*Specifically, the Claimant stated that his relative, Wilhelm Schmidt, was married to [REDACTED]. In contrast, the records show that the account owner was married to a different person.*

*Name: Wilhelm Schmidt*

*Account Identification Number: 1012990*

*Specifically, the Claimant stated that his relative, Wilhelm Schmidt, resided in Dresden where he was a horse trader and had a transport business. In contrast, the records show that the account owner resided in a different city, which is over 550 kilometers from Dresden, and that he had a different profession.*

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<sup>2</sup> The CRT notes that, on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons ("ICEP") to be probably or possibly those of Victims of Nazi Persecution (the "ICEP List"), Wilhelm Schmidt is indicated as having resided in Niederhof, Germany. Upon careful review, the CRT has concluded that the Bank's records evidence the account owner did not reside in Niederhof but in a different city.

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](http://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 Wilhelm Schmidt closed. Please note that this decision applies only to the Claim Number and Claimed Account Owner 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  
19 December 2007