

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant Robert Schnebel  
also acting on behalf of Marion Becker, Edgar Schnebel and Carol Oltchick

## **in re Account of Emil Schnebeli**

Claim Number: 210202/SB

This Certified Denial is based on the claim of Robert Schnebel (the “Claimant”) to the published account of Emil Schnebeli (the “Account Owner”) 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 a Claim Form asserting that his father, Emil Schnebel,<sup>1</sup> who was born on 1 July 1892 in Nuremberg, Germany, and was married to Lisbeth Mayer on 9 April 1939 in New York, New York, the United States, owned a Swiss bank account. The Claimant stated that his father, who was Jewish, was a medical doctor who resided in Germany until 1936, when he fled to the United States. The Claimant further stated that his father died on 4 April 1969 in New York. The Claimant stated that he was born on 26 February 1943 in New York.

### **Information Available in the Bank’s Records**

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Emil Schnebel. 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. The account is identified below by its Account Identification Number, which is a number assigned to the account by the ICEP auditors for tracking purposes.

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<sup>1</sup> The CRT did not locate an account belonging to Emil Schnebel 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”).

## Account 4021566

The Bank's records indicate that the Account Owner was Emil Schneebeli. The Bank's records also indicate the Account Owner's profession.

### **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 Owner

The CRT concludes that the Claimant has not identified the Account Owner as his relative. Although the name of his father 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. The CRT note that although the Claimant repeatedly indicated in the Claim Form that his father's family name was spelled "Schnebel," he claimed an account belonging to a person named Emil Schneebeli on the basis that these names were substantially similar. However, the Bank's records clearly indicate that the Account Owner's name was spelled Schneebeli. The Claimant did not provide any alternative spellings of his father's surname, nor did he explain the discrepancy between the names. The Claimant also did not provide any documents that indicate that his father used the name "Schneebeli." Moreover, the Claimant stated specifically that his father was a medical doctor. In contrast, the Bank's records show that the Account Owner had a different profession. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father are the same person.

#### 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 Special Master Michael Bradfield, 51 Louisiana Ave., NW, Washington, DC 20001 USA.

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, which 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 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 January 2006