

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]
represented by Ester Glantz

in re Account of Joseph Schön¹

Claim Number: 001196/AH²

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to accounts of Josef Schön, Cipora Stetter, Haia Stetter, Hanna Gitel Stetter, Jenö Stetter, Rani Stetter, Hillel Stetter, Stefi Stetter and Avraham Mailach Stetter. The CRT did not locate an account belonging to Josef Schön, Cipora Stetter, Haia Stetter, Hanna Gitel Stetter, Jenö Stetter, Rani Stetter, Hillel Stetter, Stefi Stetter or Avraham Mailach Stetter 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 Joseph Schön (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 a Claim Form asserting that his father, Josef Schön, who was married to [REDACTED], owned a Swiss bank account. The Claimant stated that his father held Russian citizenship, and that his family resided in Bistrița, Hungary (today Romania). The Claimant stated that his father, mother and siblings, who were Jewish, were deported to Auschwitz, where they perished. The Claimant indicated that he was born on 17 September 1928 in Bistrița.

¹ In an effort to locate any and all accounts that might have belonged to the Claimant’s relative, the CRT has reviewed and analyzed all accounts whose owners’ names are substantially similar to those of the Claimant’s relatives, even if the Claimant did not specifically claim that particular account. Moreover, the CRT recognizes that, in many cases, spellings of names have changed due to the passage of time in the decades since the Second World War, as well as due to the transcription of names into different languages.

² The Claimant submitted an Initial Questionnaire with the Court in 1999 and a Claim Form to the CRT. The CRT is treating the Initial Questionnaire and the Claim Form under the consolidated Claim Number 001196.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by himself.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Josef Schön. The auditors who carried out 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.

Account 5023677

The Bank's records indicate that the Account Owner was Joseph Schön, who resided in Graz, Austria. The Bank's records also indicate the Account Owner's street address and the name of a person who jointly held the account, and who appears to be closely related to the Account Owner, as well as this person's country and city of residence and street address. Furthermore, the Bank's records indicate the date of opening of the account at issue. Finally, the Bank's records contain the Account Owner's and the joint account owner's signatures.

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 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. Specifically, the Claimant stated that his father held Russian citizenship and resided in Hungary. In contrast, the Bank's records show that the Account Owner resided in Austria. Moreover, the Claimant did not identify the individual who jointly held the account at issue although he appears to be closely related to the Account Owner. 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 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 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
30 September 2004