

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Friedrich Schönfeld

Claim Number: 000274/AV¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the accounts of Fritz Schönfeld.² This Denial is to the published account of Friedrich Schönfeld (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 paternal grandfather, Fritz Schönfeld, who was married to [REDACTED] in 1893 in Breslau, Germany (today Wroclaw, Poland), owned a Swiss bank account. The Claimant indicated that his grandfather, who was Jewish, resided in Breslau and that he had close relatives in Berlin, Germany. The Claimant stated that his grandfather was deported to Budapest, Hungary in 1939, where he remained until Budapest’s liberation in January 1945. The Claimant indicated that he was born on 15 February 1929 in Breslau.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Fritz Schönfeld. The auditors who carried out the investigation of this bank 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

¹ The Claimant submitted an Initial Questionnaire to 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 000274.

² In this claim, the Claimant also claimed the accounts of Elisabeth Schönfeld, Richard Schönfeld and Karl Alt. The CRT awarded the account of Elisabeth Schönfeld to the Claimant in a separate decision. See *In re Account of Elisabeth Schoenfeld* (approved on 18 August 2004). The CRT will treat the remaining claims in separate determinations.

matches 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 1011113

The Bank's records indicate that the Account Owner was Friedrich Schönfeld, who resided in Germany. The Bank's records also indicate the Account Owner's city of residence and the name of a company associated with the Account Owner. Furthermore, the Bank's records indicate the date of closing of the account at issue.

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 grandfather matches the published name of the Account Owner, the information provided by the Claimant differs materially from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that his grandfather resided in Breslau and had close relatives in Berlin. In contrast, the Bank's records show that the Account Owner resided in another German town, which is over 350 kilometers from Breslau and over 200 kilometers from Berlin, a town which the Claimant did not identify. The CRT notes that Breslau and Berlin are both large cities, whereas the Account Owner's place of residence is a small town, rendering it unlikely that a resident of one of these cities would indicate the Account Owner's place of residence as his or her place of residence, including for purposes of maintaining a bank account. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandfather are the same person.

The CRT has taken utmost care in matching the names of the person identified by the Claimant as a possible account owner to names of actual account owners identified in the Account History Database prepared pursuant to the ICEP Investigation, which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules. The CRT uses advanced name matching systems that consider variations of names, including name variations provided by Yad Vashem, Israel, to ensure that all possible name matches are identified. The CRT has reviewed this claim carefully and analyzed matches to accounts belonging to account owners with alternative spellings of Fritz Schönfeld's surname, which include Schönfelder.

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 or the alternative surname of the Account Owner identified above 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
14 December 2005