

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]
also acting on behalf of [REDACTED]

in re Account of Fritz Schönfelder

Claim Number: 000274/AV¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published account of Fritz Schönfeld.² This Denial is to the account of Fritz Schönfelder (the “Account Owner”) at the [REDACTED] (the “Bank”).^{3,4}

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 in 1939 his grandfather was deported to Budapest, Hungary, where he remained until Budapest's liberation in 1945. The Claimant indicated that he was born on 15 February 1929 in Breslau.

¹ 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 000274.

² 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”), Fritz Schönfeld is indicated as owning an account. Upon careful review, the CRT has concluded that this account owner's name was incorrectly reported, and that the Bank's records indicate that the Account Owner's name was, in fact, Fritz Schönfelder.

³ The CRT did not locate an account belonging to Fritz Schönfeld in the Account History Database prepared pursuant to the investigation of the Independent Committee of Eminent Persons (“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”).

⁴ In this claim, the Claimant also claimed the accounts of Richard Schönfeld and Karl Alt. The CRT did not locate an account belonging to Richard Schönfeld or Karl Alt in the Account History Database prepared pursuant to the ICEP Investigation.

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 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 matches that provided by the Claimant.⁵ 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 1011116

The Bank's records indicate that the Account Owner was Fritz Schönfelder, who resided in Germany. The Bank's records also indicate the Account Owner's city of residence and the title held by the Account Owner. Furthermore, the Bank's records indicate the dates of opening and 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. Specifically, the Claimant stated that his grandfather's surname was Schönfeld. In contrast, the Bank's records show that the Account Owner's surname was Schönfelder. Moreover, the Claimant stated that his grandfather resided in Breslau and had connections to Berlin. In contrast, the Bank's records show that the Account Owner resided in a different town, over 300 kilometers from Breslau and over 200 kilometers from Berlin, to which the Claimant established no connection. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandfather 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

⁵ As noted above, the CRT has concluded that the Account Owner's name was incorrectly reported as Fritz Schönfeld.

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
3 March 2006