

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant Nicholas Kereszi  
also acting on behalf of Constance Kereszi and Melanie Krausz

## **in re Account of Robert Schuler**

Claim Number: 401714/SB<sup>1</sup>

This Certified Denial is based on the claim of Nicholas Kereszi (the “Claimant”) to the published account of Robert Schuler (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 in 2005 asserting that his godfather, Robert Schuler (Schuller, Schueller, Schüller), who was born on 6 April 1908 in Austria, and was married to Cecily Maxted, owned a Swiss bank account. The Claimant stated that his godfather, who was Jewish, was a businessman who resided in Vienna, Austria, until 1939, when he fled Austria to England. The Claimant further stated that his godfather died on 2 January 1995 in England. The Claimant indicated that he was born on 25 April 1966 in London, England.

The Claimant submitted documents in support of his claim, including Robert Schueller’s last will and testament, dated 3 April 1993, naming the Claimant, among others, as a beneficiary.

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

The CRT notes that the Claimant submitted a claim to an account belonging to his godfather, Robert Schuler. 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. 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 Claimant submitted two additional claims, which are registered under the Claim Numbers 401743 and 401752. The CRT will treat these claims in a separate determination.

## Account 5032942

The Bank's records indicate that the Account Owner was Robert Schuler. The Bank's records also indicate the Account Owner's occupation, street address, city and country of residence. Furthermore, the Bank's records indicate the date of opening 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 godfather. Although the name of his godfather 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 godfather resided in Austria until 1939, when he fled to England. In contrast, the Bank's records show that the Account Owner resided in a different country. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's godfather 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  
2 June 2006