

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED 1]

and to the Estate of [REDACTED 2]  
represented by [REDACTED 1]<sup>1</sup>

## **in re Accounts of Oskar Seidel**

Claim Number: 220540/OW; 601650/OW<sup>2, 3, 4, 5</sup>

This Certified Denial is based on the claim of [REDACTED 2] (“Claimant [REDACTED 2]”) and the claim of [REDACTED 1] (“Claimant [REDACTED 1]”) (together the “Claimants”) to the published accounts of Oskar Seidel (the “Account Owner”) at the [REDACTED] (the “Bank”).

All denials are published, but where the claimants have requested confidentiality, as in this case, the names of the claimants, any relatives of the claimants other than the account owner, and the bank are redacted.

## **Information Provided by the Claimants**

Claimant [REDACTED 2] submitted a claim to the Holocaust Claims Processing Office (“HCPO”) in 1998 and an Initial Questionnaire with the Court in 1999, and Claimant

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<sup>1</sup> The New York State Banking Department informed the CRT that Claimant [REDACTED 2] died on 25 July 2000 in New York, New York, and submitted a copy of Claimant [REDACTED 2]’s death certificate. Claimant [REDACTED 1], Claimant [REDACTED 2]’s wife, represents the Estate of [REDACTED 2].

<sup>2</sup> Claimant [REDACTED 1] submitted a Claim Form to the CRT, which is registered under the Claim Number 220540.

<sup>3</sup> Claimant [REDACTED 2] submitted a claim, numbered B-01618, on 8 December 1998 to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 601650. Claimant [REDACTED 2] also submitted an Initial Questionnaire with the Court in 1999. The CRT is treating the Initial Questionnaire and the HCPO claim under the consolidated number 601650.

<sup>4</sup> According to Article 37 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the two claims of the Claimants in one proceeding.

<sup>5</sup> In his claim, Claimant [REDACTED 2] also claimed the accounts of Ferenc Seidl, Margit Seidl, and a company named *Ignac Seidl & Fiaceg*, and Claimant [REDACTED 1] also claimed the accounts of Kornelia Seidl and company *Ignac Seidl & Fiaceg*. The CRT will treat the claims to these accounts in separate determinations.

[REDACTED 1], who was Claimant [REDACTED 2]'s wife, submitted a Claim Form to the CRT, both asserting that Claimant [REDACTED 2]'s father, Oskar Seidel (also spelt as Seidl), who was born on 26 June 1892 in Nové Zamky, Austria-Hungary (later Czechoslovakia, now Slovakia), and was married to [REDACTED], née [REDACTED], owned a Swiss bank account. The Claimants indicated that Oskar Seidel, who was Jewish, resided with his family in Nové Zamky. The Claimants further indicated that Oskar Seidl owned a company named *Ignac Seidl & Fiaceg*, a wholesale and export company, which conducted business with several European countries, including Austria, Hungary and Switzerland. Claimant [REDACTED 2] stated that his father died on 1 November 1936 in Nové Zamky. Claimant [REDACTED 2] indicated that he was born on 9 June 1933 in Nové Zamky, and Claimant [REDACTED 1] indicated that she was born on 13 September 1946 in Russia.

Claimant [REDACTED 1] submitted documents in support of her application, including a copy of her mother-in-law's declaration, indicating that Oscar Seidel was married to Kornelia [REDACTED] on 8 May 1921 in Czechoslovakia and that their son, [REDACTED 2], was born on 9 June 1933 in Nové Zamky, Czechoslovakia. This declaration further indicates that [REDACTED] and Claimant [REDACTED 2] were deported to a concentration camp by the Nazis.

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

The CRT notes that the Claimants submitted claims to an account belonging to their relative, Oskar Seidel. 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 four accounts whose owner’s name matches that provided by the Claimants. Each account is identified below by its Account Identification Number, which is a number assigned to the account by the ICEP auditors for tracking purposes.

Accounts 5023654, 5032677, 5032681, and 5036111

The Bank’s records indicate that the Account Owner was Oskar Seidel, who resided in Triberg, Germany. The Bank’s records also indicate the Account Owner’s profession.

### **The CRT’s Analysis**

#### Admissibility of the Claims

The CRT has determined that the claims are 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 Claimants have not identified the Account Owner as their relative. Although the name of their relative matches the published name of the Account Owner, the

information provided by the Claimants differs materially from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimants stated that their relative lived in Nové Zámky, Czechoslovakia, where he owned a wholesale business. In contrast, the Bank's records show that the Account Owner lived in Triberg, Germany, a country to which the Claimants did not establish any connection. Furthermore, the Bank's records indicate that the Account Owner had a different profession than the Claimants' relative. Consequently, the CRT is unable to conclude that the Account Owner and the Claimants' relative are the same person.

### Right of Appeal

Pursuant to Article 30 of the Rules, the Claimants 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 Claimants 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 Claimants should identify the Account Identification Number. Appeals submitted without either a plausible suggestion of error or relevant new evidence may be summarily denied.

### **Scope of the Denial**

The Claimants should be aware that the CRT will carry out further research on their claims to determine whether an award may be made based upon the information provided by the Claimants or upon information from other sources.

### **Certification of the Denial**

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal  
21 September 2005