

# CLAIMS RESOLUTION TRIBUNAL

---

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

## **Certified Denial**

to Claimant [REDACTED]

**Claimed Account Owner: Abraham Smoiro<sup>1</sup>**

Claim Number: 221028/SB

This Certified Denial is to the claim of [REDACTED] (the “Claimant”) to the Swiss bank account of Paul Auberach and Emillie Auberach as published on the February 2001 published list of accounts determined by Independent Committee of Eminent Persons (“ICEP”) to be probably or possibly those of Victims of Nazi Persecution (the “ICEP List”) and potentially owned by the Claimant’s relative, Abraham Smoiro (the “Claimed Account Owner”).

The CRT did not locate an account belonging to Abraham Smoiro 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”).

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 stating that her father, Abraham Smoiro, who was Jewish, may have opened an account using the pseudonym Paul Auberach or Emillie Auberach.

## **The CRT’s Analysis**

### Identification of the Account Owners

The list below contains names of account owners that match the names as claimed by the Claimant and the reasons why the CRT has concluded that the accounts did not belong to the

---

<sup>1</sup> The Claimant should note that this determination relates only to the Claim Number and Claimed Account Owner stated above, and that the CRT is aware that the Claimant may have submitted other claims.

Claimed Account Owner. If an account owner's place of residence was published, that place of residence is also listed.

*Name: Paul Auberach (Netherlands)*

*Account Identification Number: 1000385*

*Specifically, the Claimant stated that her relative, Abraham Smoiro, opened an account using the pseudonym Paul Auberach. In contrast, the records do not show that the account owner's name was a pseudonym. The CRT notes that another claimant has plausibly identified the account owner as his relative.*

*Name: Emillie Auberach (Netherlands)*

*Account Identification Numbers: 1009825 to 1009827*

*Specifically, the Claimant stated that her relative, Abraham Smoiro, opened an account using the pseudonym Emillie Auberach. In contrast, the records do not show that the account owner's name was a pseudonym. The CRT notes that another claimant has plausibly identified the account owner as his relative.*

The Claimant should note that all accounts awarded by the CRT are published upon release on the CRT's website at [www.crt-ii.org](http://www.crt-ii.org).

#### Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"), the Claimant may appeal this decision or submit a request for reconsideration within ninety (90) days of the date of the letter accompanying this decision.

An appeal must be based upon a plausible suggestion of error regarding the CRT's conclusions set out in this decision. Any appeals which are submitted without a plausible suggestion of error shall be summarily denied. A request for reconsideration must be based on new documentary evidence not previously presented to the CRT that, if considered, would have led to a different outcome of the claim. Claimants should briefly explain the relevance of the newly submitted documents in view of the conclusions stated in the certified decision.

The Claimant should send appeals and/or requests for reconsideration in writing to the following address: Oren Wiener, Claims Resolution Tribunal, Attention: Appeals / Request for Reconsideration, P.O. Box 9564, 8036 Zurich, Switzerland. If more than one account has been treated in this decision, the Claimant should identify the account, including, where available, the Account Identification Number, that forms the basis of the appeal and/or request for reconsideration.

#### **Scope of the Denial**

The CRT now considers the Claimant's claim to the accounts of Abraham Smoiro closed. Please note that this decision applies only to the Claim Number and Claimed Account Owner identified herein, and that the CRT is aware that the Claimant may have claimed accounts held by other

persons or entities both in the Claim Number specified above and in other claims submitted to the CRT.

**Certification of the Denial**

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal  
4 August 2008