

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Adolf Spiegel

Claim Number: 203323/MBC¹

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the published account of Adolf Spiegel (the “Account Owner”) at [REDACTED] (the “Bank”).

All denials are published, but where a claimant has requested confidentiality, as in this case, the name 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 her paternal grandfather, Adolf Spiegel, who was married to [REDACTED], née [REDACTED], owned a Swiss bank account. The Claimant stated that Adolf and [REDACTED] Spiegel had two sons: [REDACTED] (the Claimant’s father), who was born in 1871 in Gleiwitz, Germany (today Gliwice, Poland), and [REDACTED], who was born in the 1860s in Gleiwitz. In a letter to the CRT dated 25 June 2002, the Claimant’s daughter, [REDACTED], stated that the only information her mother remembers regarding Adolf Spiegel is that he resided at Wilhelmstrasse 3 in Gleiwitz. According to the Claimant, [REDACTED] resided in Berlin, Germany, and [REDACTED] lived in Wiesbaden, Germany. The Claimant explained that her family is Jewish and that her parents perished in the Holocaust. The Claimant indicated that she was born on 3 July 1919 in Berlin.

¹ The Claimant submitted additional claims, which were registered under the Claim Numbers 207242, 219310, 219328, 400958, 500027, 500367, 501176, 501188, 501196, 501202, 501206, 501212, 501215, 501217, 501220, 501229, 501233, 501239, 501245, 501256, 501258, 501262, 501274, 501278, 501285, 501312, 501313, 501315 and 501316. The CRT has determined that Claim Numbers 203323 and 219310 are duplicate claims and is treating them under the consolidated Claim Number 203323. The CRT has treated Claim Numbers 501202 and 501262 and Claim Numbers 501212, 501217, 501245, 501278 and 501312 by means of letters dated the 7 March 2006 and 13 March 2006, respectively. In a separate decision, the CRT has awarded the accounts of Berthold Spiegel to the Claimant. See *In re Account of Berthold Spiegel and Hedwig (Leipziger) Spiegel* (approved on 12 November 2001) and *In re Account of Berthold Spiegel* (approved on 3 June 2003).

The Claimant submitted the following documents in support of her claim: (1) her birth certificate, (2) her marriage certificate, and (3) a letter written by her father to a relative in Palestine in September 1942.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Adolf Spiegel. 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.

Account 1013866

The Bank's records indicate that the Account Owner was Adolf Spiegel, who resided in Stuttgart, Germany. The Bank's records also indicate the Account Owner's street address and area of Stuttgart in which the Account Owner resided.

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

As for Account 1013866, the CRT concludes that the Claimant has not identified the Account Owner as her relative. Although the name of her grandfather matches the published name of the Account Owner, the information provided by the Claimant differs from the published information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her grandfather lived in Gleiwitz, Germany, and that his sons lived in Berlin and Wiesbaden, Germany. In contrast, the Bank's records show that the Account Owner resided in Stuttgart, Germany, which is over 800 kilometers from Gleiwitz, over 600 kilometers from Berlin and over 170 kilometers from Wiesbaden. The CRT notes that Wiesbaden is a large city, and that although Stuttgart is larger than Wiesbaden, Frankfurt, another major city, is closer to Wiesbaden than Stuttgart, rendering it unlikely that the resident of Wiesbaden would indicate Stuttgart as his place of residence, even for the purposes of maintaining a Swiss bank account. 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 should identify the Account Identification Number 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 her 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
9 November 2006