

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant Bessie Bielory

**in re Account of M. Spielberg<sup>1</sup>**

Claim Number: 207947/PI/AH<sup>2</sup>

This Certified Denial is based on the claim of Bessie Bielory, née Speelberg (or Spielberg), (the Claimant ) to accounts of Mendel Speelberg (or Spielberg), Bessie Bielory, née Speelberg (or Spielberg), and Zosia (Sosia) Speelberg (or Spielberg). The CRT did not locate an account belonging to Mendel Speelberg (or Spielberg) or Bessie Bielory, née Speelberg (or Spielberg), or Zosia (Sosia) Speelberg (or Spielberg), 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 ). This Denial is to the published account of M. Spielberg (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 asserting that her father, Mendel Speelberg (or Spielberg), owned a Swiss bank account of which the Claimant could have been the beneficial owner. The Claimant indicated that her father was born in approximately 1890, was married to Zosia (Sosia) Speelberg, and resided in Poland before the Second World War. The Claimant further indicated that her parents died in a Ghetto in Poland in September 1942. The Claimant indicated that she was born on 15 August 1922 in Kovel, Poland (today in the Ukraine).

The Claimant previously submitted two Initial Questionnaires with the Court in 1999, asserting her entitlement to Swiss bank accounts owned by her parents.

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<sup>1</sup> In an effort to locate any and all accounts that might have belonged to the Claimant’s relative, the CRT has reviewed and analyzed all accounts whose owners’ names are substantially similar to that of the Claimant’s relative, even if the Claimant did not specifically claim that particular account. Moreover, the CRT recognizes that, in many cases, spellings of names have changed due to the passage of time in the decades since the Second World War, as well as due to the transcription of names into different languages.

<sup>2</sup> The Claimant submitted two Initial Questionnaires with the Court in 1999 and a Claim Form to the CRT. The CRT is treating the Initial Questionnaires and the Claim Form under the consolidated Claim Number 207947.

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

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Mendel Speelberg (or Spielberg). The auditors who carried out the ICEP Investigation reported one account whose owner's name is substantially similar to 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.

### Account 5033831

The Bank's records indicate that the Account Owner was M. Spielberg, who resided in Vienna, Austria, and that the Power of Attorney Holder was Valerie Spielberg. The Bank's records also indicate the Account Owner's street address, title, profession, and his wife's name. Furthermore, the Bank's records indicate the date of 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.

### Identification of the Account Owner

The CRT concludes that the Claimant has not identified the Account Owner as her relative. Although the name of her father is substantially similar to the published name of the Account Owner, the information provided by the Claimant differs materially from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her father resided in Poland, and that he was married to Zosia (Sosia) Speelberg. In contrast, the Bank's records show that the Account Owner resided in Austria, and that his spouse was a different person. Furthermore, the Claimant did not identify the Account Owner's title or profession, nor did she identify the Power of Attorney Holder to the account at issue, although she shares the same last name as the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father 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 the Special Master, c/o Claims Resolution Tribunal, P.O. Box 9564, 8036 Zurich, Switzerland.

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  
19 November 2004