

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Dr. [REDACTED]

in re Accounts of Julius Stein

Claim Number: 200803/MG¹

This Certified Denial is based on the claim of Dr. [REDACTED] (the “Claimant”) to an account of Julius Stein (formerly Katzenstein).² This Denial is to the published accounts of Julius Stein (“Account Owner 1”) at the [REDACTED] (“Bank 1”), and to the published account of Julius Stein (“Account Owner 2”) at the [REDACTED] (“Bank 2”).

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 Form asserting that his father, Julius Stein (Katzenstein), who was born on 22 November 1882 in Rhina, Germany, and was married to [REDACTED], née [REDACTED], in 1924 in Hamburg, Germany, owned a Swiss bank account. The Claimant stated that his father, who was Jewish, was a merchant and owned a business named *Möbel Katzenstein* in Hamburg, where he resided until 1939. The Claimant further stated that his father fled Germany in 1939 for the United Kingdom, while his business was confiscated by the Nazis. The Claimant stated that his father died on 20 February 1961 in San Francisco, California, the United States. The Claimant indicated that he was born on 2 May 1925 in Hamburg.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999 and an ATAG Ernst & Young claim form in 1998, asserting his entitlement to a Swiss bank account owned by Julius Stein (Katzenstein).

The Claimant submitted documents in support of his application, including: (1) his German passport issued on 1 April 1939 in Hamburg indicating his last name [REDACTED]; and (2) a

¹ The Claimant submitted an Initial Questionnaire with the Court in 1999 and a Claim Form to the CRT. The CRT is treating the Initial Questionnaire and the Claim Form under the consolidated Claim Number 200803.

² The CRT did not locate an account belonging to Julius Katzenstein 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”).

document regarding his father's life insurance policy indicating that in 1939 he still used the last name Katzenstein.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Julius Stein (Katzenstein). The auditors who carried out the ICEP Investigation reported three accounts whose owners' names match that provided by the Claimant. 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 5035464 and 5035465

Bank 1's records indicate that Account Owner 1 was Julius Stein, who resided in Fürth, Germany. Bank 1's records also indicate Account Owner 1's street address and title.

Account 4020266

Bank 2's records indicate that Account Owner 2 was Julius Stein, who resided in Fürth, Germany. Bank 2's records also indicate Account Owner 2's title. Furthermore, Bank 2's records indicate the dates of opening and 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 Owners

As for Accounts 5035464 and 5035465, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his father matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant submitted documents which indicate that his father still used the last name Katzenstein as of 1939. In contrast, Bank 1's records indicate that Account Owner 1's last name was Stein several years before 1939. Moreover, the Claimant stated that his father resided until 1939 in Hamburg, Germany. In contrast, Bank 1's records show that Account Owner 1 resided in Fürth, Germany, which is more than 350 kilometers from Hamburg and a place to which the Claimant did not establish any connection. Furthermore, Account Owner 1 had a title, which was not identified by the Claimant and which is inconsistent with the Claimant's father's occupation. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's father are the same person.

As for Account 4020266, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his father matches the published name of Account Owner 2, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 2 available in Bank 2's records. Specifically, the Claimant submitted documents which indicate that his father still used the last name Katzenstein as of 1939. In contrast, Bank 2's records indicate that Account Owner 2's last name was Stein several years before 1939. Moreover, the Claimant stated that his father resided until 1939 in Hamburg, Germany. In contrast, Bank 2's records show that Account Owner 2 resided in Fürth, Germany, which is more than 350 kilometers from Hamburg and a place to which the Claimant did not establish any connection. Moreover, Account Owner 2 had a title, which was not identified by the Claimant and which is inconsistent with the Claimant's father's occupation. Consequently, the CRT is unable to conclude that Account Owner 2 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 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 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
31 December 2005