

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

**in re Account of Mathilde Stein
and
Accounts of Ernst Stein**

Claim Numbers: 213663/SB; 213664/SB^{1,2}

This Certified Denial is based on the claims of [REDACTED], née [REDACTED], (the “Claimant”) to the published account of Mathilde Stein (“Account Owner 1”) at the [REDACTED] (“Bank 1”) and to the published accounts of Ernst 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 Claim Forms asserting that her paternal aunt, Mathilde Stein, and her father, Ernst Stein, who were Jewish, each owned a Swiss bank account. The Claimant stated that her aunt, who was born on 22 March 1882 in Diensburg, Germany, resided in Leipzig and Frankfurt am Main, Germany. The Claimant further stated that her aunt perished during the Second World War. The Claimant stated that her father, who was born on 20 August 1903 in Leipzig and was married to [REDACTED] on 6 April 1937 in Chicago, Illinois, the United States, was a businessman who resided in Germany until sometime prior to April 1937, when he fled Germany to the United States. The Claimant further stated that her father died on 20 May 1970 in Great Neck, New York, the United States. The Claimant indicated that she was born on 8 August 1938 in New York.

¹ The Claimant submitted an additional claim, which is registered under the Claim Number 213662. In a separate decision, the CRT awarded the accounts of Claere Kirstein to the Claimant. See *In re Accounts of Claere Kirstein* (approved on 31 December 2003).

² 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 Claimant in one proceeding.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted claims to accounts belonging to her relatives, Mathilde Stein and Ernst Stein. 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 five accounts whose owners' names match those 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.

Account 5029883

Bank 1's records indicate that Account Owner 1 was Mathilde Stein, who resided in Germany. Bank 1's records also indicate the date of closing of the account at issue. Pursuant to Article 6 of the Rules, the CRT requested the voluntary assistance of Bank 1 to obtain additional information about this account ("Voluntary Assistance"). Bank 1 provided the CRT with additional documents. These documents contain Account Owner 1's signature and indicate the year in which Account Owner 1 provided the signature.

Accounts 1014004 to 1014007

Bank 2's records indicate that Account Owner 2 was Ernst Stein, who resided in Germany. Bank 2's records also indicate Account Owner 2's city of residence in Germany and a second city and country of residence. Furthermore, Bank 2's records indicate the dates of opening and closing of the accounts at issue.

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 Owners

As for Account 5029883, the CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Although the name of her aunt matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the unpublished information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant stated that her aunt perished during the Second World War. In contrast, Bank 1's records show that Account Owner 1 was alive several decades after the Second World War. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's aunt are the same person.

As for Accounts 1014004 to 1014007, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the name of her father matches the published name

of Account Owner 2, the information provided by the Claimant differs materially from the unpublished information about Account Owner 2 available in Bank 2's records. Specifically, the Claimant stated that her father resided in Germany and the United States. In contrast, Bank 2's records show that Account Owner 2 resided in Germany and another country, which the Claimant did not identify. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's father are the same person. Moreover, it should be noted that the CRT has awarded the accounts to another claimant, who plausibly identified Account Owner 2 as her relative. All decisions are published upon release on the CRT's website at www.crt-ii.org.

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, which 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