

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Dr. Elisabeth Steiner
represented by Mag. Ewald Scheucher

in re Account of Friederike Steiner

Claim Number: 221404/MG¹

This Certified Denial is based on the claim of Dr. Elisabeth Steiner (the “Claimant”) to the published account of Friederike Steiner (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 paternal grandmother, Friederike Steiner, née Melkus, who was born on 18 May 1895 in Vienna, Austria, owned a Swiss bank account. The Claimant stated that her grandmother, who was not Jewish, married Albert Steiner (the Claimant’s grandfather), who was Jewish. The Claimant stated that her grandmother was a housewife and resided at Meytengasse 19 in Vienna. The Claimant also stated that her grandmother was widowed in 1938, when the Claimant’s grandfather committed suicide after an unsuccessful attempt to flee Nazi-controlled Austria. According to the Claimant, her grandmother continued to reside at Meytengasse 19 in Vienna until her death on 9 May 1986. The Claimant stated that she was born on 21 March 1956 in Vienna.

The Claimant submitted documents in support of her application, including: (1) a copy of her grandmother’s death certificate; and (2) records from the Austrian State Archives regarding her grandparents’ assets and containing her grandmother’s signature.

¹ The Claimant submitted additional claims to the accounts of Gustav Steiner, Klara (Clara) Steiner (Grossi), Jenny Steiner and Albert Steiner, which are registered under the Claim Numbers 221405, 221406, 221420, 221421, 221422, 221434, 221438 and 221769. The CRT has determined that Claim Numbers 221406 and 221434 are duplicate claims and is treating them under the Consolidated Claim Numbers 221405 and 221769, respectively. The CRT has awarded Claim Number 221769 to the account of Albert Steiner. The Court has approved the award on 29 March 2002. The CRT will treat the remaining claims to the accounts of Gustav Steiner, Klara (Clara) Steiner (Grossi) and Jenny Steiner in separate decisions.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Friederike Steiner. 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, which is a number assigned to the account by the ICEP auditors for tracking purposes.

Account 5023796

The Bank's records indicate that the Account Owner was Friederike Steiner, who resided in Vienna, Austria, and that the Power of Attorney Holder was Karl Steiner. The Bank's records also indicate the Account Owner's street address. Furthermore, the Bank's records indicate the date on which the power of attorney was granted. Finally, the Bank's records contain the Account Owner's and the Power of Attorney Holder's signatures.

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

The CRT concludes that the Claimant has not identified the Account Owner as her relative. Although the name of her grandmother matches the published name of the Account Owner, the information provided by the Claimant differs materially from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her grandmother resided at Meytengasse 19 in Vienna. In contrast, the Bank's records show that the Account Owner resided at a different street address. In addition, the signature of the Claimant's grandmother contained in the documents provided by the Claimant differs from the signature of the Account Owner contained in the Bank's records. Moreover, the CRT notes that the Claimant did not identify the name of the Power of Attorney Holder, who shared the same last name as the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandmother 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
9 March 2005