

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant the Estate of Friederike Marie Steiner¹
represented by Stephen M. Harnik

in re Account of Friederike Steiner

Claim Number: 222433/MG²

This Certified Denial is based on the claim of the Estate of Friederike Marie Steiner (the “Claimant”) to the published account of Friederike Steiner (the “Account Owner”) at the [REDACTED] (the “Bank”).

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 Friederike Marie Steiner, née Reichel, who was born on 23 August 1902 in Vienna, today Austria, and was married to [REDACTED], owned a Swiss bank account. The Claimant indicated that Friederike Steiner, who was Jewish, resided in Vienna at Börsegasse 12/II/4 from 1938 until 15 June 1939. According to the Claimant, Friederike Steiner fled Austria to the United States, where she died on 23 February 1996 in New York, New York. The Claimant also indicated that Karl Steiner was Friederike Steiner’s father-in-law, who held power of attorney over her account.

The Claimant submitted documents in support of the claim, including Friederike Steiner’s death certificate, which indicates that she was born on 23 August 1902.

¹ The CRT notes that Friederike Marie Steiner (the “Claimant”) passed away in 1996. The executor of her estate submitted claims to the CRT on behalf of her estate.

² The Claimant submitted additional claims, which are registered under the Claim Numbers 222432, 222434 and 222435. In a separate decision, the CRT awarded the accounts of Albert Gerngross, Paul Gerngross, Martha Gerngross and A. Gerngross A.G. to the Claimant. See *In re Accounts of Albert Gerngross, Paul Gerngross, Martha Gerngross, and A. Gerngross A.G.* (approved on 4 April 2003).

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to 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, the Power of Attorney Holder's street address, and 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.

Information Available from the Austrian State Archive

By decree on 26 April 1938, the Nazi Regime required all Jews who resided within the Reich, or who were nationals of the Reich, including Austria, and who held assets above a specified level to register all their assets as of 27 April 1938 (the "1938 Census"). In the records of the Austrian State Archive (Archive of the Republic, Finance), there are documents concerning the assets of Friederike Steiner. These records indicate Friederike Steiner's street address, date of birth and spouse's name, and contain her signature.

The CRT notes that the information in the 1938 Census records about Friederike Steiner matches the information about the Account Owner, and therefore concludes that they are the same person.

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. Although the name of Friederike Steiner 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 and the 1938 Census records. Specifically, the Claimant stated that Friederike Steiner was born in 1902 and married to [REDACTED], and that Friederike Steiner's father-in-Law, Karl Steiner, held power of attorney over her account. In

contrast, the 1938 Census records show that the Account Owner was born several decades before 1902, was married to someone else, and that the Power of Attorney Holder had a different familial relationship to the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and Friederike Steiner 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, 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 this 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
17 November 2006