

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Hermine Stern and Account of Minna Stern

Claim Number: 219792/SB¹

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the account of Hermine (Minna) Stern. This Denial is to the published account of Hermine Stern (“Account Owner 1”) at the [REDACTED] (“Bank 1”), and to the unpublished account of Minna Stern (“Account Owner 2”) at the [REDACTED] (“Bank 2”).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 her paternal aunt, Hermine (Minna) Stern, owned a Swiss bank account. The Claimant stated that her paternal grandfather, [REDACTED], and his children, all resided in Somio, Romania, where her grandfather was a grain merchant. The Claimant further stated that her grandfather and aunt perished in Auschwitz. The Claimant indicated that she was born on 17 February 1955 in Somio, Romania.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Hermine (Minna) Stern. 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 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.

¹ The Claimant submitted an Initial Questionnaire to 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 219792.

Accounts 5025232 and 5032051

Bank 1's records indicate that Account Owner 1 was Hermine Stern, who resided in Klagenfurt, Austria. Bank 1's records also indicate Account Owner 1's marital status, street address and the name of joint account owners and their street address, city and country of residence. Furthermore, Bank 1's records indicate the dates of opening of the accounts at issue. Finally, Bank 1's records contain Account Owner 1's and the joint account owners' signatures.

Account 5019217

Bank 2's records indicate that Account Owner 2 was Minna Stern. Bank 2's records also indicate Account Owner 2's city and country of residence, maiden name and the name of her husband. Furthermore, Bank 2's records indicate the name of a power of attorney holder and contain the signatures of Account Owner and the power of attorney holder.

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 Owners

As for Accounts 5025232 and 5032051, 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 published information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant stated that her aunt's family resided in Romania. In contrast, Bank 1's records show that Account Owner 1 resided in Austria. Moreover, the Claimant did not identify the joint account owners, who appear to be related to Account Owner 1. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's aunt are the same person.

As for Account 5019217, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the name of her aunt matches the unpublished 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 aunt's maiden name was Stern. In contrast, Bank 2's records show that Account Owner 2 had a different maiden name. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's aunt 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 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
12 May 2006