

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED 1]

and to Claimant [REDACTED 2]  
also acting on behalf of [REDACTED]

**in re Accounts of Heinrich Strauss  
and  
Accounts of Henri Strauss  
and  
Account of H. Strauss**

Claim Numbers: 216349/AV; 601214/AV<sup>1,2</sup>

This Certified Denial is based on the claims of [REDACTED 1], née [REDACTED], (“Claimant [REDACTED 1]”) and [REDACTED 2] (“Claimant [REDACTED 2]”) (together the “Claimants”) to accounts of Heinrich Strauss. This Denial is to the published accounts of two individuals named Heinrich Strauss (“Account Owner 1” and “Account Owner 2”), Henri Strauss (“Account Owner 3”), and H. Strauss (“Account Owner 4”), all at the [REDACTED] (the “Bank”).

All denials are published, but where a claimant has requested confidentiality, as in this case, the names of the claimants, any relatives of the claimants other than the account owners, and the bank have been redacted.

## **Information Provided by the Claimants**

Claimant [REDACTED 1]

Claimant [REDACTED 1] submitted a claim to the Holocaust Claims Processing Office (“HCPO”) asserting that her father, Heinrich Strauss, who was born on 21 January 1876 in Kindenheim, Germany, and was married to [REDACTED], née [REDACTED], in December

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<sup>1</sup> [REDACTED 1] (“Claimant [REDACTED 1]”) submitted a claim, numbered B-00242, on 27 October 1997, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 601214.

<sup>2</sup> 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 Claimants in one proceeding.

1914, owned a Swiss bank account. Claimant [REDACTED 1] stated that her father, who was Jewish, resided in Ludwigshafen, Germany, where he was a prominent lawyer. Claimant [REDACTED 1] indicated that her family's home in Ludwigshafen was destroyed in November 1938, that the family then resided for a short time in Munich, Germany, and that her father subsequently resided in Darmstadt, Germany. Claimant [REDACTED 1] indicated that in December 1940, her father was deported to the concentration camp in Gurs, France, where he perished on 9 February 1942. Claimant [REDACTED 1] indicated that she was born on 9 April 1920 in Ludwigshafen.

Claimant [REDACTED 1] previously submitted two Initial Questionnaires with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Heinrich Strauss.

Claimant [REDACTED 1] submitted documents in support of her claim, including her father's information card from the Gurs concentration camp, identifying him as Heinrich Strauss and indicating that he previously resided in Ludwigshafen.

#### Claimant [REDACTED 2]

Claimant [REDACTED 2] submitted a Claim Form asserting that his great-grandfather, Heinrich Strauss, owned a Swiss bank account. Claimant [REDACTED 2], who is the great-nephew of Claimant [REDACTED 1], submitted substantially similar information as Claimant [REDACTED 1] about their relative, Heinrich Strauss. Claimant [REDACTED 2] is representing his grandmother, [REDACTED], née [REDACTED], who was born on 14 April 1922 in Ludwigshafen.

### **Information Available in the Bank's Records**

The CRT notes that the Claimants submitted a claim to an account belonging to their relative, Heinrich Strauss. 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") identified eight accounts whose owners' names match that provided by the Claimants. 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 1014068, Account 1014069, and Account 1014070

The Bank's records indicate that Account Owner 1 was Heinrich Strauss, who resided in Germany. The Bank's records also indicate Account Owner 1's city of residence.

#### Account 1001157

The Bank's records indicate that Account Owner 2 was Heinrich Strauss, who resided in London, the United Kingdom. Furthermore, the Bank's records indicate the date of opening of the account at issue.

### Account 1014073, Account 1014074, and Account 1014075

The Bank's records indicate that Account Owner 3 was Henri Strauss, who resided in Germany. The Bank's records also indicate Account Owner 3's city of residence, and two additional countries and cities of residence for Account Owner 3. Furthermore, the Bank's records indicate the dates of closing of the accounts at issue.

### Account 1014520

The Bank's records indicate that Account Owner 4 was H. Strauss, who resided in Germany. The Bank's records also indicate the first four letters of Account Owner 4's first name and Account Owner 4's city of residence. Furthermore, the Bank's records indicate the dates of opening and closing of the account 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 1014068, Account 1014069, and Account 1014070, the CRT concludes that the Claimants have not identified Account Owner 1 as their relative. Although the name of Claimant [REDACTED 1]'s father and Claimant [REDACTED 2]'s great-grandfather matches the published name of Account Owner 1, the information provided by the Claimants differs from the unpublished information about Account Owner 1 available in the Bank's records. Specifically, the Claimants stated that their relative resided in Ludwigshafen, and that he briefly resided in Munich and Darmstadt, Germany. In contrast, the Bank's records show that Account Owner 1 resided in a different city, which is 100 kilometers from Ludwigshafen, over 150 kilometers from Munich, and over 100 kilometers from Darmstadt, and to which the Claimants established no connection. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimants' relative are the same person. Moreover, it should be noted that the CRT has awarded the accounts to another claimant, who plausibly identified Account Owner 1 as his relative and who identified Account Owner 1's city of residence, as identified in the Bank's records. All decisions are published upon release on the CRT's website at [www.crt-ii.org](http://www.crt-ii.org).

As for Account 1001157, the CRT concludes that the Claimants have not identified Account Owner 2 as their relative. Although the name of Claimant [REDACTED 1]'s father and Claimant [REDACTED 2]'s great-grandfather matches the published name of Account Owner 2, the information provided by the Claimants differs materially from the published information about Account Owner 2 available in the Bank's records. Specifically, the Claimants stated that their relative resided in Germany. In contrast, the Bank's records show that Account Owner 2

resided in the United Kingdom. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimants' relative are the same person.

As for Account 1014073, Account 1014074, and Account 1014075, the CRT concludes that the Claimants have not identified Account Owner 3 as their relative. Although the name of Claimant [REDACTED 1]'s father and Claimant [REDACTED 2]'s great-grandfather matches the published name of Account Owner 3, the information provided by the Claimants differs from the unpublished information about Account Owner 3 available in the Bank's records. Specifically, the Claimants stated that their relative resided in Ludwigshafen, and that he briefly resided in Munich and Darmstadt, Germany. In contrast, the Bank's records show that Account Owner 3 resided in a different city in Germany and in two additional countries, to which the Claimants established no connection. Consequently, the CRT is unable to conclude that Account Owner 3 and the Claimants' relative are the same person.

As for Account 1014520, the CRT concludes that the Claimants have not identified Account Owner 4 as their relative. Although the first initial and last name of Claimant [REDACTED 1]'s father and Claimant [REDACTED 2]'s great-grandfather matches the published first initial and last name of Account Owner 4, the information provided by the Claimants differs materially from the unpublished information about Account Owner 4 available in the Bank's records. Specifically, the Claimants stated that their relative's first name was Heinrich. In contrast, the Bank's records indicate that Account Owner 4 had a different first name. Consequently, the CRT is unable to conclude that Account Owner 4 and the Claimants' relative are the same person. Moreover, it should be noted that the CRT has awarded this account to other claimants who plausibly identified Account Owner 4 as their relative. All decisions are published upon release on the CRT's website at [www.crt-ii.org](http://www.crt-ii.org).

### Right of Appeal

Pursuant to Article 30 of the Rules, the Claimants 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 Claimants 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 Claimants 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 Claimants should be aware that the CRT will carry out further research on their claims to determine whether an award may be made based upon the information provided by the Claimants or upon information from other sources.



**Certification of the Denial**

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal  
31 October 2005