

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Rudolf Strauss

Claim Number: 215617/SB¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published accounts of Rudolf Strauss. This Denial is to the published accounts of Rudolf Strauss (“Account Owner 1”) at the [REDACTED] (“Bank 1”) and to the unpublished account of Rudolf Strauss (“Account Owner 2”) (together the “Account Owners”) at [REDACTED] (“Bank 2”) (together the “Banks”).

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 owners, and the banks have been redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form, asserting that his father, Rudolf Strauss, who was born on 18 February 1894 in Tauberbischofsheim, Germany, and was married to [REDACTED] on 6 March 1926 in Heidelberg, Germany, owned a Swiss bank account. The Claimant stated that from 1926 to 1936, his father, who was Jewish, resided in Stuttgart, Germany, where he was a practicing physician. The Claimant further stated that his father fled Germany in 1936 and emigrated to the United States. The Claimant stated that his father died on 3 July 1969 in New York, New York. The Claimant indicated that he was born on 10 August 1927 in Stuttgart.

The Claimant submitted documents in support of his claim, including his immigration papers and birth certificate, identifying the Claimant’s father as Rudolf Strauss and indicating that he was a medical doctor and that he resided in Stuttgart.

¹ The Claimant submitted additional claims to the accounts of Josef Strauss, Jakob Kaufmann, and Paula Kaufmann, which are registered under the Claim Numbers 215618, 215619, and 401405, respectively. In a separate decision, the CRT treated the claim to the account of Jakob Kaufmann. See *In re Account of Jakob Kaufman*, (approved on 20 November 2002). The CRT will treat the claims to the accounts of Josef Strauss and Paula Kaufmann in separate determinations.

Information Available in the Banks' Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Rudolf 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") 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.

Accounts 1013337 and 1013338

Bank 1's records indicate that Account Owner 1 was Rudolf Strauss, who resided in Germany. Bank 1's records also indicate Account Owner 1's city of residence and the name of an individual connected with the accounts. Furthermore, Bank 1's records indicate the dates of opening of the accounts at issue and the date of closing of one of the accounts at issue.

Account 2015906

Bank 2's records indicate that Account Owner 2 was Rudolf Strauss. Bank 2's records also indicate Account Owner 2's title and city and country of residence.

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 1013337 and 1013338, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his father 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 his father was a physician and held the title of Doctor. In contrast, Bank 1's records do not show that Account Owner 1 used such a title. Furthermore, the Claimant stated that his father resided in Stuttgart, Germany. In contrast, Bank 1's records show that Account Owner 1 resided in another major German city, which is over 250 kilometers from Stuttgart, and to which the Claimant established no connection. The CRT notes that the Claimant's father's main city of residence, Stuttgart, is a major German city, rendering it unlikely that the Claimant's father would indicate a different, distant metropolis as his city of residence, including for purposes of maintaining a bank account. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's father are the same person.

As for Account 2015906, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his father 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 his father resided in Germany. In contrast, Bank 2's records show that Account Owner 2 resided in a different country, to which the Claimant established no connection. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's father 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 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 his 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
30 November 2005