

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Klara Unger

Claim Numbers: 400297/JW¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published accounts of Klara Unger (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 in 2005 asserting that his mother’s great-aunt, Klara Unger, née Seybuch, owned a Swiss bank account. The Claimant indicated that Klara Unger, who was Jewish, was born in approximately 1885 in Germany, Poland, or Lithuania. According to the Claimant, his relative lived in Europe during the Second World War, however the Claimant did not indicate the ultimate fate of his relative. The Claimant indicated that he was born on 8 November 1953 in Newark, New Jersey, the United States.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Klara Unger. 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 two accounts whose owner’s name matches 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 four additional claims, which are registered under the Claim Numbers 400294, 400296, 400299, and 400300. The CRT will treat these claims in separate determinations.

Accounts 1013433 and 1013434

The Bank's records indicate that the Account Owner was Klara Unger. The Bank's records also indicate the Account Owner's city and country of residence, and her marital status. Furthermore, the Bank's records indicate the dates of opening and closing of the accounts at issue.

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

As for Accounts 1013433 and 1013434, the CRT concludes that the Claimant has not identified the Account Owner as his relative. Although the name of his mother's great-aunt 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 indicated that his relative's maiden name was Seybuch. In contrast, the Bank's records indicate that the Account Owner had a different maiden name. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's mother's great-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 Numbers, which form 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
9 November 2006