

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

**in re Account of Perel Urbach
(Power of Attorney Holder J. Urbach)¹**

Claim Number: 203284/LV²

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the account of Joskie (Yusca, Yosca) Orbach (Urbach). This Denial is to the published account of Perel Urbach (the “Account Owner”), over which J. Urbach (the “Power of Attorney Holder”) held power of attorney, at the [REDACTED] (the “Bank”).³

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 and a claim to the Holocaust Claims Processing Office (“HCPO”), asserting that her uncle, Joskie (Yusca, Yosca) Orbach (Urbach), who was born in Wodislav, Poland, and was married to [REDACTED], née [REDACTED], in Wodislav, owned a Swiss bank account. The Claimant stated that her uncle resided in Poland and that he owned a down clothing and cushion company. The Claimant also stated that her uncle often traveled to Switzerland on business. The Claimant stated that her uncle and his wife, who were Jewish, died in 1942. The Claimant indicated that she was born on 20 February 1922 in Wodzislaw.

¹ In an effort to locate any and all accounts that might have belonged to the Claimant’s relative, the CRT has reviewed and analyzed all accounts whose owners’ or power of attorney holders’ names are the same as that of the Claimant’s relative, even if the Claimant could not identify the owner of the account as her relative.

² The Claimant submitted a claim, numbered B-00786, on 9 March 1998, 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 601507. The Claimant also submitted a Claim Form, which was registered under the Claim Number 203284. The CRT has determined that this Claim and Claim 601507, which was previously submitted to the HCPO, are duplicate claims and is treating them under the consolidated Claim Number 203284.

³ The CRT did not locate an account belonging to Joskie (Yusca, Yosca) Orbach, in the Account History Database prepared pursuant to the investigation of the Independent Committee of Eminent Persons (“ICEP” or “ICEP Investigation”), which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules Governing the Claims Resolution Process, as amended (the “Rules”).

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Joskie Orbach.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Joskie Orbach. 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 power of attorney holder'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 5026509

The Bank's records indicate that the Account Owner was Perel Urbach, who resided in Berlin, Germany, and that the Power of Attorney Holder was J. Urbach. These records also indicate that power of attorney was also granted to Rachele Ulreich, Josefina Gutter and Fanny Weintraub. The Bank's records also indicate the name of the person with whom the Account Owner jointly held the account. Furthermore, the Bank's records indicate the street address and marital status of the Account Owner, as well as the street address, city and country of residence of the Power of Attorney Holder. Finally, the Bank's records include the Account Owner's signature and indicate the date of opening of the account at issue.

The CRT's Analysis

Admissibility of the Claims

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 Account 5026509, the CRT concludes that the Claimant has not identified the Power of Attorney Holder as her relative. Although the first initial and last name of her uncle match the published first initial and last name of the Power of Attorney Holder, the information provided by the Claimant differs materially from the unpublished information about the Power of Attorney Holder available in the Bank's records. Specifically, the Claimant stated that her uncle resided in Poland. In contrast, the Bank's records show that the Power of Attorney Holder resided in a different country. Furthermore, the CRT notes that the Claimant did not identify the Account Owner, who appears to be related to the Power of Attorney Holder. Consequently, the CRT is unable to conclude that the Power of Attorney Holder and the Claimant's uncle 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
31 October 2005