

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant Alexander Vogel

**in re Accounts of Leo Vogel**

Claim Number: 005289/SB<sup>1</sup>

This Certified Denial is based on the claim of Alexander Vogel (the “Claimant”) to the account of Leopold Vogel.<sup>2</sup> This Denial is to the published accounts of two individuals named Leo Vogel (“Account Owner 1” and “Account Owner 2”) at the [REDACTED] (“Bank 1”) and at the [REDACTED] (“Bank 2”).

All denials are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

## **Information Provided by the Claimant**

The Claimant submitted a Claim Form asserting that his father, Leopold Vogel, who was born in 1897 in Sighet, Romania, and was married to Helen Indig, owned a Swiss bank account. The Claimant stated that his father, who was Jewish, resided in Sighet, where he was a merchant. The Claimant also indicated that his father traveled twice a year to Belgium and the Netherlands on business. The Claimant further stated that his father was deported to Auschwitz, where he perished. The Claimant stated that he was born on 4 January 1923 in Sighet.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by Leopold Vogel.

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

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Leopold Vogel. 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

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<sup>1</sup> The Claimant submitted an Initial Questionnaire with 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 005289.

<sup>2</sup> The CRT did not locate an account belonging to Leopold Vogel 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”).

(“ICEP” or the “ICEP Investigation”) reported six 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 1013450 to 1013454

Bank 1’s records indicate that Account Owner 1 was Leo Vogel, who resided in Germany. Bank 1’s records also indicate Account Owner 1’s city of residence in Germany and in another city and country of residence. Furthermore, Bank 1’s records indicate the dates of opening for four of the accounts at issue and the dates of closing of all of the accounts at issue.

#### Account 4020306

Bank 2’s records indicate that Account Owner 2 was Leo Vogel, who resided in Berlin, Germany. Bank 2’s records also indicate Account Owner 2’s occupation and title. Furthermore, Bank 2’s records indicate the dates of opening and closing of the account 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 Owners

As for Accounts 1013450 to 1013454, 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 published and unpublished information about Account Owner 1 available in Bank 1’s records. Specifically, the Claimant stated that his father resided in Sighet, Romania, and traveled to Belgium and the Netherlands on business. In contrast, Bank 1’s records show that Account Owner 1 resided in Germany and another country, neither of which the Claimant identified. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant’s father are the same person.

As for Account 4020306, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his father matches the published name of Account Owner 2, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 2 available in Bank 2’s records. Specifically, the Claimant stated that his father was a merchant who resided in Sighet, Romania, and traveled to Belgium and the Netherlands on business. In contrast, Bank 2’s records show that Account Owner 2 resided in Germany and had a different occupation. The CRT also notes that the Claimant did not indicate that his father had a professional or academic title, whereas Bank 2’s records indicate that Account Owner 2 had such a title. 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 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 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  
23 January 2006