

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Henri Emile Walter

Claim Number: 601273/WM¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the account of Henry (Henryk) Valter (Walter). This Denial is to the published account of Henri Emile Walter (the “Account Owner”) at the [REDACTED] (the “Bank”).^{2,3}

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 to the Holocaust Claims Processing Office (“HCPO”) asserting that his great-uncle, Henry (Henryk) Valter (Walter), owned a Swiss bank account. According to the Claimant, his relative, who was Jewish, was married to [REDACTED], and conducted business in Switzerland. The Claimant did not provide any additional information regarding his relative. However, the Claimant indicated that members of his immediate and extended family resided in Poland both before and during the Second World War, and that some of his family members had business connections to Germany. In addition, the Claimant stated that several members of his family perished in the Warsaw Ghetto. The Claimant indicated that he was born on 22 October 1939 in Warsaw, Poland.

¹ The Claimant submitted a claim, numbered B-00319, on 24 November 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 601273.

² The CRT did not locate an account belonging to Henry (Henryk) Valter (Walter) 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”).

³ In this claim, the Claimant also claimed the accounts of Leon (Leib, Levek) Czosnek, Chulda (Hulda) Czosnek, Niula Czosnek, and Anna (Chana) Czosnek (Leszozynski). The CRT will treat the claims to these accounts in separate determinations.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to accounts belonging to his relative, Henry (Henryk) Valter (Walter). 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 owner's name matches those 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 5032526

The Bank's records indicate that the Account Owner was Henri Emile Walter, who resided in Colmar, France. The Bank's records also indicate the Account Owner's street address, as well as the name, street address and city and country of residence of another individual who jointly held the account at issue with the Account Owner.

The CRT's Analysis

Admissibility of the Claim

The CRT has determined that, for purposes of issuing this Certified Denial, 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

The CRT concludes that the Claimant has not identified the Account Owner as his relative. Although the name of his great-uncle matches the published name of the Account Owner, the information provided by the Claimant differs materially from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant indicated that his immediate and extended family members resided in Poland before and during the Second World War, and that some of these family members had connections to Germany. In contrast, the Bank's records indicate that the Account Owner resided in France, to which the Claimant established no connection. Moreover, the CRT notes that the Claimant did not identify the other individual who jointly held the account with the Account Owner, even though that person appears to be related to the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's great-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 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
21 September 2005