

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Stephen Whyle-Spitz
acting on behalf of and represented by
Jack Whyle-Spitz and Marilyn Seckinger

in re Account of Fritz Weil

Claim Number: 300823/SB¹

This Certified Denial is based on the claim of Stephen Whyle-Spitz (the “Claimant”) to the account of Fritz (Frederic) Weil (Whyle-Spitz).² This Denial is to the published account of Fritz Weil (the “Account Owner”) held at the [REDACTED] (the “Bank”).

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, Fritz Weil, who was born on 27 March 1904 in Berlin, Germany, and was married to Erna Wetzel, owned a Swiss bank account. The Claimant stated that his father, who was Jewish, resided from 1929 until 1932 in Hanover, Germany, but also traveled throughout Europe as part of his work for his uncle’s theater business. The Claimant further stated that his father left Germany in 1932 for California, the United States, where he remained until his death on 7 July 1979. The Claimant stated that some of his paternal family remained in Germany until 1934. The Claimant indicated that he was born on 29 October 1947 in Glendale, California, 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, Fritz Weil. The auditors who carried out the investigation to identify accounts of Victims of Nazi

¹ The Claimant submitted two additional claims, which are registered under the Claim Numbers 300824 and 300825. The CRT will treat these claims in separate determinations.

² The CRT did not locate an account belonging to Fritz (Frederic) Whyle-Spitz or Frederic Weil 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”).

Persecution pursuant to instructions of the Independent Committee of Eminent Persons (“ICEP” or the “ICEP Investigation”) reported one account whose owner’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 for tracking purposes.

Account 5034335

The Bank’s records indicate that the Account Owner was Fritz Weil, who resided in Strasbourg, France and the power of attorney holders were Ernst Stiefel, Charlotte Weil and Otto Weil. The Bank’s records also indicate the Account Owner’s street address in Strasbourg and the date on which the Account Owner signed the power of attorney form. The Bank’s records further indicate the power of attorney holders’ cities and country of residence and contains the Account Owner’s and the power of attorney holders’ signatures.

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

The CRT concludes that the Claimant has not identified the Account Owner as his relative. Although the name of his father 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 stated that his father resided in Germany until 1932, when he emigrated to the United States. In contrast, the Bank’s records show that the Account Owner resided in Strasbourg, France, several years after the Account Owner had moved to the United States. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant’s father are the same person.

The CRT has taken utmost care in matching the names of the person identified by the Claimant as a possible account owner to names of actual account owners identified 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 CRT uses advanced name matching systems that consider variations of names, including name variations provided by Yad Vashem, Israel, to ensure that all possible name matches are identified. The CRT has reviewed this claim carefully and analyzed matches to accounts belonging to account owners with alternative spellings of Fritz Weil’s surname, which include Weill, and has determined that these accounts do not belong to the Claimant’s relative.

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, or the alternative surname of the Claimant's relative identified above, 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
7 June 2006