

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimants [REDACTED 1],

[REDACTED 2]

and to the Estate of Claimant [REDACTED 3]

## **in re Accounts of J. Weil**

Claim Numbers: 209672/SB; 705547/SB; 210473/SB; 209605/SB; 785858/SB<sup>1,2</sup>

This Certified Denial is based on the claims of [REDACTED 1] (“Claimant [REDACTED 1]”), [REDACTED 2] (“Claimant [REDACTED 2]”) and [REDACTED 3] (“Claimant [REDACTED 3]”) (together the “Claimants”) to the account of Julius (Israel) Weil.<sup>3</sup> This Denial is to the published accounts of J. Weil (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 Claimants**

The Claimants each submitted a Claim Form and Initial Questionnaire, asserting that their relative, Julius Weil, who was born on 11 October 1880 in Ihringen, Germany, and was married to [REDACTED], owned a Swiss bank account. The Claimants stated that their relative, who was Jewish, was a banker who resided in Mannheim, Germany, until his deportation to France in 1943. The Claimants further stated that their relative died in 1944 in Marseille, France. Claimant [REDACTED 1] indicated that she was born on 12 October 1948 in Milwaukee,

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<sup>1</sup> According to Article 37 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the five claims of the Claimants in one proceeding.

<sup>2</sup> Claimants Suzanne Wile and Delbert Wile each submitted an Initial Questionnaire to the Court in 1999 and a Claim Form to the CRT. The CRT is treating these Initial Questionnaires under the Claim Numbers 705547 and 785858, respectively. Claimant Annadel Edwards also submitted an Initial Questionnaire with the Court in 1999 and a Claim Form to the CRT. The CRT is treating this Initial Questionnaire under the consolidated Claim Number 210473.

<sup>3</sup> The CRT did not locate an account belonging to Julius (Israel) 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.

Wisconsin, the United States. Claimant [REDACTED 2] indicated that she was born on 19 November 1912 in Wisconsin. Claimant [REDACTED 3] indicated that he was born on 4 October 1920 in Brooklyn, New York.

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

The CRT notes that the Claimants each submitted a claim to an account belonging to their relative, Julius Weil. 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 Claimants. 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 1013663 and 1013664

The Bank's records indicate that the Account Owner was J. Weil, who resided in Germany. The Bank's records also indicate the Account Owner's occupation, city of residence in Germany and a second city and country of residence. Furthermore, the Bank's records indicate the dates of opening and closing of the accounts at issue.

### **The CRT's Analysis**

#### Admissibility of the Claims

The CRT has determined that the claims are 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 Claimants have not identified the Account Owner as their relative. Although the name of their relative matches the published first name initial and last name of the Account Owner, the information provided by the Claimants differs materially from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimants stated that their relative was a banker and resided in Germany. In contrast, the Bank's records show that the Account Owner had a different occupation and resided in Germany and a second country, which the Claimants did not identify. Consequently, the CRT is unable to conclude that the Account Owner and the Claimants' relative are the same person.

#### Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules, the Claimant may appeal this decision or submit a request for reconsideration within ninety (90) days of the date of the letter accompanying this decision.

An appeal must be based upon a plausible suggestion of error regarding the CRT's conclusions set out in this decision. Any appeals which are submitted without a plausible suggestion of error shall be summarily denied. A request for reconsideration must be based on new documentary evidence not previously presented to the CRT that, if considered, would have led to a different outcome of the claim. Claimants should briefly explain the relevance of the newly submitted documents in view of the conclusions stated in the certified decision.

The Claimant should send appeals and/or requests for reconsideration in writing to the following address: Oren Wiener, Claims Resolution Tribunal, Attention: Appeals / Request for Reconsideration, P.O. Box 9564, 8036 Zurich, Switzerland. If more than one account has been treated in this decision, the Claimant should identify the account, including, where available, the Account Identification Number, that forms the basis of the appeal and/or request for reconsideration.

### **Scope of the Denial**

The Claimants should be aware that the CRT will carry out further research on their claims to determine whether an award may be made based upon the information provided by the Claimants or upon information from other sources.

### **Certification of the Denial**

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal  
23 March 2007