

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

**in re Account of Karel Weil,
the Accounts of Carl Weil,
the Accounts of Karol Weil,
and the Account of A. Stern¹**

Claim Number: 205401/MG²

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the accounts of Karel Weil, Amelie Weil, née Stern, and Hans Bick. The CRT did not locate an account belonging to Amelie Weil, née Stern, or Hans Bick 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”). This Denial is to the published account of Karel Weil (“Account Owner 1”) at [REDACTED] (“Bank 1”), to the published accounts of Carl Weil (“Account Owner 2”) at the [REDACTED] (“Bank 2”), to the published accounts of Karol Weil (“Account Owner 3”) at Bank 2, and to the published account of A. Stern (“Account Owner 4”) at the [REDACTED] (“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 asserting that her father, Karel Weil, who was born on 16 April 1904 in Protivin, Czechoslovakia (now Czech Republic), and her mother, Amelie Weil, née Stern, who was born on 31 March 1905, owned a Swiss bank account. The Claimant stated

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’ names are substantially similar to that of the Claimant’s relative, even if the Claimant did not specifically claim that particular account. Moreover, the CRT recognizes that, in many cases, spellings of names have changed due to the passage of time in the decades since the Second World War, as well as due to the transcription of names into different languages.

² 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 205401.

that her parents were married on 16 December 1930 in Prague, Czechoslovakia (now Czech Republic). The Claimant stated that her father, who was Jewish, was a businessman, and that he resided from 1930 in Svihov near Pilsen, Czechoslovakia (now Czech Republic), and in Prague. The Claimant further stated that her father died on 4 April 1936 in Mährisch Ostrau, Czechoslovakia (now Ostrava, Czech Republic), and indicated that her mother, Amalie Weil, was deported to Auschwitz, where she perished on 12 March 1944. The Claimant indicated that she was born on 12 June 1932 in Klatovy, Czechoslovakia.

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

The Claimant submitted documents in support of her application, including: (1) a copy of her own birth certificate, which indicates that her father was a businessman in Svihov; and (2) a copy of her marriage certificate.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her parents, Karel Weil and Amelie Weil, née Stern. The auditors who carried out the ICEP Investigation reported seven accounts whose owners' names match or are substantially similar to those 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.

Account 3017017

Bank 1's records indicate that Account Owner 1 was Karel Weil, who resided in Czechoslovakia, and that the Power of Attorney Holders were Hans Hamburger, Robert Kronstein, and *Frau* (Mrs.) Ida Levy. Bank 1's records also indicate Account Owner 1's nationality, his city of residence in Czechoslovakia, his other city of residence in another country, and the name of the person who jointly held the account with Account Owner 1. Furthermore, Bank 1's records indicate the date of closing of the account at issue. Finally, Bank 1's records contain Account Owner 1's and the Power of Attorney Holders' signatures, as well as the signature of the person who jointly held the account with Account Owner 1.

Accounts 5026654 and 5026777

Bank 2's records indicate that Account Owner 2 was Carl (Karl) Weil, who resided in Horb, Germany, and that the Power of Attorney Holder was Andreas Hermle. Bank 2's records also indicate the name of a company, which was associated with Account Owner 2. Furthermore, Bank 2's records indicate the dates on which the power of attorney forms were signed. Finally, Bank 2's records contain Account Owner 2's and the Power of Attorney Holder's signatures.

Accounts 5033654, 5033655 and 5033657

Bank 2's records indicate that Account Owner 3 was Karol Weil. Bank 2's records also indicate

Account Owner 3's city and country of residence, his street address, his title, the name of his spouse and the name of his daughter. In addition, Bank 2's records indicate the names of the power of attorney holders. Furthermore, Bank 2's records indicate the date on which the power of attorney form was signed. Finally, Bank 2's records contain Account Owner 3's and the power of attorney holders' signatures.

Account 1013656

Bank 3's records indicate that Account Owner 4 was A. Stern, who resided in Germany. Bank 3's records also indicate Account Owner 4's city of residence. Furthermore, Bank 3'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.

Identification of the Account Owners

As for Account 3017017, the CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Although the name of her father matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the unpublished information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant stated that her father resided from 1930 in Svihov and Prague, Czechoslovakia. In contrast, Bank 1's records show that during those years Account Owner 1 resided in a different city in Czechoslovakia, which is more than 150 kilometers from either Svihov or Prague, which was not identified by the Claimant and to where the Claimant did not establish any connection. Bank 1's records also indicate Account Owner 1's other country of residence, which was also not identified by the Claimant. In addition, the CRT notes that the Claimant did not identify any of the Power of Attorney Holders, nor did she identify the person who jointly held the account with Account Owner 1. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's father are the same person.

As for Accounts 5026654 and 5026777, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the name of her father is substantially similar to the published name of Account Owner 2, the information provided by the Claimant differs materially from the published information about Account Owner 2 available in Bank 2's records. Specifically, the Claimant stated that her father resided from 1930 in Czechoslovakia. In contrast, Bank 2's records show that during that time Account Owner 2 resided in Germany. In addition, the CRT notes that the Claimant did not identify the name of the company that was associated with Account Owner 2. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's father are the same person.

As for Accounts 5033654, 5033655 and 5033657, the CRT concludes that the Claimant has not identified Account Owner 3 as her relative. Although the name of her father is substantially similar to the published name of Account Owner 3, the information provided by the Claimant differs materially from the unpublished information about Account Owner 3 available in Bank 2's records. Specifically, the Claimant stated that her father resided in Czechoslovakia, that he was married to Amelie Weil, née Stern, and that the Claimant was his only daughter. In contrast, Bank 2's records show that Account Owner 3 resided in a different country, which was not identified by the Claimant, that he was married to someone else, and that he had a child with a different name. Consequently, the CRT is unable to conclude that Account Owner 3 and the Claimant's father are the same person.

As for Account 1013656, the CRT concludes that the Claimant has not identified Account Owner 4 as her relative. Although the maiden name of her mother matches the published first name initial and last name of Account Owner 4, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 4 available in Bank 3's records. Specifically, the Claimant stated that her mother resided in Czechoslovakia until her deportation to Auschwitz. In contrast, Bank 3's records show that Account Owner 4 resided in a city in Germany, which was not identified by the Claimant, and to where the Claimant did not establish any connection. Consequently, the CRT is unable to conclude that Account Owner 4 and the Claimant's mother are the same person.

Right of Appeal

Pursuant to Article 30 of the Rules, the Claimant/s 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 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
15 July 2005