

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

**in re Account of Paul Weil
and
Accounts of Paul L. Weil
and
Account of Rene Weil**

Claim Number: 600187/LV¹

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the accounts of Paul Weil. This Denial is to the published account of Paul Weil (“Account Owner 1”) at the [REDACTED] (“Bank 1”), to the published accounts of Paul L. Weil (“Account Owner 2”) at the [REDACTED] (“Bank 2”), and to the published account of Rene Weil (“Account Owner 3”) at Bank 1.²

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 owners, and the banks have been redacted.

Information Provided by the Claimant

The Claimant submitted a claim to the Holocaust Claims Processing Office (“HCPO”) asserting that her father, Paul Weil, who was born on 24 February 1900 in Heidelberg, Germany, and was married to [REDACTED], née [REDACTED], in 1924, owned a Swiss bank account. The Claimant stated that her father, who was Jewish, was a financial officer and *Prokurist* (a company officer with statutory authority) at a bank called *Banque Levy*. In addition, the Claimant stated that her father resided in Luxembourg, Luxembourg, until 10 May 1940, when he fled to Paris, France, and then to Marseille, France, before traveling to Portugal. The Claimant further stated that her father subsequently left Portugal for Brazil, where he settled in Rio de Janeiro. The Claimant further stated that her father maintained a private bank account in Switzerland, and that he used the funds from this account to support his family after he fled Luxembourg. The Claimant also indicated that her father may have maintained an account under

¹ The Claimant submitted a claim, numbered B-02142, on 29 December 1999, 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 600187.

² The Claimant indicated that Paul Weil may have held accounts under the name Rene Weil.

the name "Rene Weil," which is similar to her own name. In addition, the Claimant indicated that her father was a citizen of Germany, Luxembourg and Brazil during his lifetime. Furthermore, the Claimant stated that her father passed away in Lisbon, Portugal, in late 1978 or early 1979. The Claimant indicated that she was born on 27 September 1925 in Saarbrücken, Germany. In addition, the Claimant indicated that she previously held German citizenship, and that she is currently an American citizen.

The Claimant submitted documents in support of her application, including: (1) a certificate (*Entlassungsurkunde*) issued by the German Reich in Trier, Germany, dated 19 December 1933, revoking the German citizenship of Paul Weil of Luxembourg, his wife, and their daughter, [REDACTED]; and (2) the Claimant's birth certificate, which indicates that her father was Paul Weil, who was a bank officer.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Paul Weil (who may have held an account under the name Rene 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 four accounts whose owners' names match those provided by the Claimant.³ 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 5033126

Bank 1's records indicate that Account Owner 1 was Paul Weil, who resided in Stuttgart, Germany. Bank 1's records also indicate Account Owner 1's street address, professional title and profession.

Accounts 1013674 and 1013675

Bank 2's records indicate that Account Owner 2 was Paul L. Weil, who resided in Germany. Bank 2's records also indicate Account Owner 2's city of residence, professional title and profession. Furthermore, Bank 2's records indicate the dates of closing of the accounts at issue.

Account 5027450

Bank 1's records indicate that Account Owner 3 was Rene Weil, who resided in Paris, France. Bank 1's records also indicate Account Owner 3's citizenship.

³ The CRT notes that the ICEP auditors additionally identified an account over which Paul Weil held power of attorney. The CRT will address this account in a separate determination.

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 Account 5033126, 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 published and unpublished information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant stated that her father was a financial officer of a bank. In contrast, Bank 1's records show that Account Owner 1 had a different profession. In addition, the Claimant stated that her father resided in Luxembourg until 1940, when he fled to Paris, France, to Marseille, France, and eventually to Portugal, from where he emigrated to Brazil. The Claimant further stated that she was born in Saarbrücken, Germany, and that her father was born in Heidelberg, Germany. In contrast, Bank 1's records show that Account Owner 1 resided in Stuttgart, Germany, to which the Claimant established no connection. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's father are the same person. Moreover, it should be noted that the CRT has awarded the account to another claimant, who plausibly identified Account Owner 1 as her relative. All decisions are published upon release on the CRT's website at www.crt-ii.org.

As for Accounts 1013674 and 1013675, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the name of her 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 also stated that her father was a financial officer of a bank. In contrast, Bank 2's records show that Account Owner 2 held a different profession. Moreover, the Claimant stated that her father resided in Luxembourg until 1940, when he fled to Paris, to Marseille, and eventually to Portugal, from where he emigrated to Brazil. The Claimant further stated that she was born in Saarbrücken, and that her father was born in Heidelberg. In contrast, Bank 2's records show that Account Owner 2 resided in a different city, to which the Claimant established no connection. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's father are the same person. Moreover, it should be noted that the CRT has awarded the accounts to another claimant, who plausibly identified Account Owner 2 as her relative. All decisions are published upon release on the CRT's website at www.crt-ii.org.

As for Account 5027450, the CRT concludes that the Claimant has not identified Account Owner 3 as either her relative or as herself. Although her own name matches 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 1's records. Specifically, the Claimant indicated that, during his lifetime, her father was a citizen of Germany, Luxembourg and Brazil, and that the Claimant, under whose name the account may have been opened, first

held German and later American citizenship. In contrast, Bank 1's records show that Account Owner 3 was a citizen of a different country. Consequently, the CRT is unable to conclude that Account Owner 3 and either the Claimant's father or the Claimant herself are the same person. Moreover, it should be noted that the CRT has awarded the account to another claimant, who plausibly identified Account Owner 3 as his relative. All decisions are published upon release on the CRT's website at www.crt-ii.org.

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 ICEP, which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in 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 Paul 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 Numbers, or the alternative surname of the Account Owner identified above, which form 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
30 September 2005