

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Francis Weill

Claimed Account Owners: Gaston Weill and *Mme* Gaston Weill¹

Claim Number: 219484/RT

This Certified Denial is to the claim of Francis Weill (the “Claimant”) to a Swiss bank account potentially owned by the Claimant’s father, Gaston Weill (the “Claimed Account Owner”).

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 stating that Gaston Weill, who was Jewish, resided in France and was married to Adrienne Geismar. The Claimant stated that Gaston Weill and his wife did not reside anywhere else but in France. The Claimant also stated that Gaston Weill had relatives and friends in Basel, Switzerland.

The CRT’s Investigation

The CRT matched the name of Gaston Weill to the names of all account owners in the Account History Database and identified accounts belonging to individuals whose names match, or are substantially similar to, the name of the Claimed Account Owner. In doing so, the CRT used advanced name matching systems and computer programs, and considered variations of names, including name variations provided by Yad Vashem, The Holocaust Martyrs’ and Heroes’ Remembrance Authority, in Jerusalem, Israel, to ensure that all possible name matches were identified. However, a close review of the relevant bank records indicated that the information contained therein was inconsistent with the information the Claimant provided regarding the Claimed Account Owner. Accordingly, the CRT was unable to conclude that any of these accounts belonged to the Claimed Account Owner.

¹ The Claimant should note that this determination relates only to the Claim Number and Claimed Account Owner stated above, and that the CRT is aware that the Claimant may have submitted other claims.

The CRT's Analysis

Identification of the Account Owner

The list below contains names of account owners that match the name of the Claimed Account Owner and the reasons why the CRT has concluded that the Claimed Account Owner and an account owner are not the same person. If an account owner's place of residence was published, that place of residence is also listed.

Name: Gaston Weill (Paris, France)

Account Identification Numbers: 5023655, 5023662, 5024540 and 5024541²

Specifically, the Claimant stated that his relative, Gaston Weill, was married to Adrienne Geismar. In contrast, the records show that the account owner was married to a different person. The CRT further notes that the accounts at issue were awarded to another claimant who definitely identified the account owner by identifying unpublished information about the account owner, including the account owner's street address in Paris and the name of his spouse.

Name: Mme Gaston Weill

Account Identification Numbers: 6002825; 6002829³

Specifically, the Claimant stated that his father, Gaston Weil, was married to Adrienne Geismar and resided in France. The Claimant indicated that his parents did not reside anywhere else but in France. The Claimant also indicated that his parents had family and friends in Basel, Switzerland. In contrast, the records show that the account owner herself resided in Basel. The CRT notes that the accounts were awarded to another, unrelated claimant who more plausibly identified the account owner as her relative by providing evidence showing a direct link between her relative and the account owner's place of residence.

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

² The CRT notes that, on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons ("ICEP") to be probably or possibly those of Victims of Nazi Persecution (the "ICEP List"), Gaston Weill is indicated as having seven accounts. Upon careful review, the CRT has concluded that the records evidence the existence of only four accounts.

³ The CRT notes that the Claimant specifically inquired about accounts 6002825 and 6002829, which were subject of a published award to another, unrelated claimant. See *In re Accounts of Mme Gaston Weil* (approved on 25 September 2006). These accounts were not part of the Account History Database at the CRT and were not published on the 2001 or 2005 lists of account owners. However, these accounts were identified as a result of matching and research carried out at the Bank and using the Total Accounts Database ("TAD") at one of the Defendant Banks. The TAD is one of the several databases that comprise a total of approximately 4.1 million accounts. These are part of the approximately 6.9 million accounts that were identified by the ICEP auditors as open or opened in the 1933-1945 period in Swiss banks, less the estimated 2.8 million accounts for which no records remain. These 4.1 million accounts, in databases located at the 59 ICEP audited Swiss banks, are composed of 1.9 million savings accounts with a 1930-1940s value of 250.00 Swiss Francs or less and accounts with Swiss addresses, and 2.2 million accounts that ICEP concluded should not be included within the Account History Database, that is within the 36,000 accounts that ICEP determined were "probably or possibly" owned by Victims of Nazi persecution.

belonging to Victims of Nazi Persecution, as defined in the Rules Governing the Claims Resolution Process, as amended (the “Rules”). The CRT has reviewed this claim carefully and analyzed matches to accounts belonging to account owners with alternative spellings of Gaston Weill’s last name, which include Weil, and has determined that these accounts did not belong to the Claimed Account Owner.

The Claimant should note that all accounts awarded by the CRT are published upon release on the CRT's website at www.crt-ii.org.

Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules Governing the Claims Resolution Process, as amended (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.

Certification of the Denial

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal
12 February 2010