

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Friedrich Weinberg
represented by Israel Daklo

in re Accounts of Albert Weinberg

Claim Number: 002662/AH¹

This Certified Denial is based on the claim of Friedrich Weinberg (the “Claimant”) to the accounts of Friedrich Weinberg and Albert Weinberg.² The CRT did not locate an account belonging to Friedrich Weinberg 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 accounts of Albert Weinberg (the “Account Owner”) 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 and an Initial Questionnaire with the Court in 1999, asserting that his father, Albert Weinberg, who was married to Rachel Basan, owned a Swiss bank account. The Claimant stated that his father, who was Jewish, owned a store in Yambol, Bulgaria, where he also resided. The Claimant indicated that his family, who was Jewish, was persecuted by the Nazis. The Claimant indicated that he was born on 1 July 1920 in Bulgaria.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Albert Weinberg. The auditors who carried out the ICEP Investigation reported two accounts

¹ 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 002662.

² In this claim, the Claimant also claimed the account of Julius Weinberg. The CRT will treat the claim to this account in a separate decision.

whose owner's name matches that 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.

Accounts 5025708, 5033662

The Bank's records indicate that the Account Owner was Albert Weinberg, who resided in Berlin, Germany. The Bank's records also indicate the Account Owner's street address, and his two additional countries of residence. The Bank's records further indicate the Account Owner's title and profession, and the name of another person who jointly held the account at issue and who appears to be closely related to the Account Owner. Moreover, the Bank's records indicate that the Account Owner changed his name and took another last name. Furthermore, the Bank's records indicate the date of closing of one of the accounts 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 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 Bulgaria. In contrast, the Bank's records show that the Account Owner resided in Germany and in two additional countries that were not identified by the Claimant. Furthermore, according to the Bank's records, the Account Owner's profession was different from the Claimant's father's profession. In addition, the Claimant did not identify the additional last name of the Account Owner or the other person with whom the account at issue was jointly held, although this person appears to be closely related to the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father are the same person.

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 the Special Master, c/o Claims Resolution Tribunal, P.O. Box 9564, 8036 Zurich, Switzerland.

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 Claimants 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 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
13 October 2004