

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]
represented by Stephen Harnik

in re Account of Leo Weiss

Claim Number: 401360/SB¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published account of Leo Weiss (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 Claimant

The Claimant submitted a Claim Form in 2005 asserting that her relative, Leo Weiss, who was born in approximately 1890, owned a Swiss bank account. The Claimant stated that her relative, who was Jewish, was a businessman who resided in Vienna, Austria. The Claimant did not indicate the fate of her relative. The Claimant indicated that she was born on 8 January 1921 in Vienna, Austria.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Leo Weiss. 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 one account whose owner’s name matches that provided by the Claimant. The account is identified below by its Account Identification Number, which is a number assigned to the account by the ICEP auditors for tracking purposes.

¹ The Claimant submitted two additional claims, which are registered under the Claim Numbers 500760 and 500979. In separate decisions, the CRT awarded the accounts of Oskar Kantor and Siegfried Kantor to the Claimant. See *In re Accounts of Oskar Kantor* (approved on 10 December 2004) and *In re Accounts of Siegfried Kantor* (approved on 15 July 2005).

Account 1013528

The Bank's records indicate that the Account Owner was Leo Weiss. The Bank's records also indicate the Account Owner's city and country of residence and the date of 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 Governing the Claims Resolution Process, as amended (the "Rules").

Identification of the Account Owner

The CRT concludes that the Claimant has not identified the Account Owner as her relative. Although the name of her relative matches the published name of the Account Owner, the information provided by the Claimant differs materially from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her relative resided in Vienna, Austria. In contrast, the Bank's records show that the Account Owner resided in another country. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's relative 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 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, which 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
8 August 2006