

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED 1]
also acting on behalf of [REDACTED 2]

in re Accounts of Pauline Wohlgemuth

Claim Number: 150121/SB

This Certified Denial is based on the claim of [REDACTED 1], née [REDACTED], (the “Claimant”) to the published accounts of Pauline Wohlgemuth and Linna Wohlgemuth.^{1,2} This Denial is to the published accounts of Pauline Wohlgemuth (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 asserting that her paternal great-aunt, Pauline Raviv, née Wohlgemuth, who was born approximately in 1900 in Germany, owned a Swiss bank account. The Claimant stated that her great-aunt, who was Jewish, was married to [REDACTED] and most probably resided in Berlin, Germany. The Claimant further stated that after the Second World War, her great-aunt emigrated to Israel, where she died in approximately 1955. The Claimant indicated that she was born on 30 November 1935 in Israel (then Palestine).

¹ 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”), the account owner is indicated as Linna Wohlgemuth, Germany. Upon careful review of the Bank’s records, the CRT has concluded that the account owner is in fact a business, *Wohlgemuth Lissner Kunstverlagsgesellschaft m.b.h.*

² The CRT did not locate an account belonging to Linna Wohlgemuth 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”).

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Pauline Wohlgemuth. The auditors who carried out the investigation of this bank to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons ("ICEP" or the "ICEP Investigation") reported ten accounts 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 1013600 to 1013609

The Bank's records indicate that the Account Owner was Mrs. Pauline Wohlgemuth who resided in Germany. The Bank's records also indicate three cities of residence for the Account Owner, and the fate of the Account Owner's spouse. Furthermore, the Bank's records indicate the dates of opening of one of the accounts at issue, and closing of all 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 Governing the Claims Resolution Process, as amended (the "Rules").

Identification of the Account Owners

The CRT concludes that the Claimant has not identified the Account Owner as her relative. Although the name of her great-aunt matches the published name of the Account Owner, the information provided by the Claimant differs materially from the published information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that Pauline Wohlgemuth was her great-aunt's maiden name and that her married name was Pauline Raviv. In contrast, the Bank's records show that Pauline Wohlgemuth was the Account Owner's married name. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's great-aunt 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 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
14 December 2005