

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Marie von Deutsch¹

Claim Numbers: 200892/AY; 710765/AY

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the accounts of Yosef (Josef) Wollner, Maria Wollner, née Deutsch, and *Wollner* shoe factory. The CRT did not locate an account belonging to Yosef (Josef) Wollner, Maria Wollner, née Deutsch, or *Wollner* shoe factory 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 account of Marie von Deutsch (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 his mother, Maria Wollner, née Deutsch, who was born on 7 December 1892, and was married to [REDACTED] on 15 June 1910 in Groszerdein, Transylvania, the Austrian-Hungarian Empire, owned a Swiss bank account. The Claimant stated that his mother, who was Jewish, resided in Margareten (Margitta), Transylvania, and held Austrian, Hungarian and Romanian citizenship. The Claimant stated that his mother and father jointly owned the *Wollner* shoe factory. The Claimant further stated that his mother was deported to Auschwitz, where she was murdered in June 1944. The Claimant indicated that he was born on 4 September 1916 in Margareten.

¹ In an effort to locate any and all accounts that might have belonged to the Claimant’s relative, the CRT has reviewed and analyzed all accounts whose owners’ names are substantially similar to that of the Claimant’s relative, even if the Claimant did not specifically claim that particular account. Moreover, the CRT recognizes that, in many cases, spellings of names have changed due to the passage of time in the decades since the Second World War, as well as due to the transcription of names into different languages.

The Claimant previously submitted Initial Questionnaires with the Court in 1999 and an ATAG Ernst & Young claim form in 1998, asserting his entitlement to a Swiss bank account owned by his parents, Yosef (Josef) Wollner and Maria Wollner.

The Claimant submitted documents in support of his application, including: (1) a memorial book devoted to his family's fate; (2) family photographs; and (3) correspondence with the Bank from 1995 and 1997 indicating that, pursuant to a meeting with a director of the Bank, the Claimant could not retrieve his parents' account.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Maria Wollner, née Deutsch. The auditors who carried out the ICEP Investigation reported one account whose owner's name is substantially similar to 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.

Account 5024464

The Bank's records indicate that the Account Owner was Marie von Deutsch, who resided in Zagreb, Yugoslavia. The Bank's records also indicate the Account Owner's street address and the name of a person who appears to be closely related to the Account Owner and who held the account jointly with the Account Owner. Finally, the Bank's records contain the Account Owner's and the joint account owner's signatures.

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 maiden name of his mother is substantially similar to 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 mother resided in Margareten (Margitta), Transylvania, and held Austrian, Hungarian and Romanian citizenship. In contrast, the Bank's records show that the Account Owner resided in Zagreb, Yugoslavia. Additionally, the Claimant did not identify the title "von" or the name of the joint account owner 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 mother 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 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 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