

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Jonathan Leonid Lev

in re Account of Samuel Leb¹

Claim Number: 003669/MG

This Certified Denial is based on the claim of Jonathan Leonid Lev (the Claimant) to the accounts of Shmuel Yehuda Lev, Shabetai Lev, Abraham Lev, Haya Sarah Lev, Menachem Mendel Lev, Malka Lev, and Kadish Lev. The CRT did not locate an account belonging to Shmuel Yehuda Lev, Shabetai Lev, Abraham Lev, Haya Sarah Lev, Menachem Mendel Lev, Malka Lev, or Kadish Lev in the Account History Database prepared pursuant to the investigation of the Independent Committee of Eminent Persons (the 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 Samuel Leb (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 asserting that his paternal grandfather, Shmuel Yehuda Lev, owned a Swiss bank account. According to the Claimant, his grandfather was married to Devorah Lev. The Claimant stated that his grandfather was a businessman and property owner, who lived in Sokoly, Poland. The Claimant further stated that his grandfather, who was Jewish, perished in the Holocaust. The Claimant indicated that he was born on 8 June 1924 in Moscow, Russia.

¹ In an effort to locate any and all accounts that might have belonged to the Claimant's relatives, the CRT has reviewed and analyzed all accounts whose owners' names are substantially similar to those of the Claimant's relatives, 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.

Information Available in the Bank Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Shmuel Yehuda Lev. 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 4023350

The Bank's records indicate that the Account Owner was Samuel Leb, who resided in Cluj, Romania. The Bank's records also indicate the Account Owner's street address and the name of a joint account owner, who appears to be a family member of the Account Owner. Furthermore, the Bank's records indicate the date of opening 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.

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 grandfather 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 grandfather lived in Sokoly, Poland. In contrast, the Bank's records show that the Account Owner resided in Cluj, Romania. In addition, the CRT notes that the Claimant did not identify the joint account owner who appears to be a family member of the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandfather are the same person. Moreover, it should be noted that the CRT has awarded the accounts to other claimants, who plausibly identified the Account Owner as their relative. All decisions are published upon release on the CRT's website at www.crt-ii.org.

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
10 December 2004