

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Max Löwenstein

Claim Number: 205882/SB

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published accounts of Max Löwenstein (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 grandfather, Max Löwenstein, who was born on 21 May 1896 in Trier, Germany, and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that his grandfather, who was Jewish, was a doctor of law who resided in Trier and Ludwigshafen, Germany. The Claimant further stated that his father fled Germany in 1938, initially to Luxembourg, then Paris and Toulouse, France and finally Spain, returning to France after the end of the Second World War. The Claimant stated that his grandfather died on 21 January 1967, in Toulouse. The Claimant stated that he was born on 24 March 1947 in Vincennes, France.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Max Löwenstein. 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 two 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 1010496 and 1010497

The Bank’s records indicate that the Account Owner was Max Löwenstein, who resided in

Germany. The Bank's records also indicate the Account Owner's title and city of residence. Furthermore, the Bank's records indicate the dates of opening and closing 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 Owner

The CRT concludes that the Claimant has not identified the Account Owner as his relative. Although the name of his grandfather 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 his grandfather resided in Trier and Ludwigshafen, Germany. In contrast, the Bank's records show that the Account Owner resided in a city which is over 200 kilometers from Trier and 150 kilometers from Ludwigshafen, a city which the Claimant did not identify. The CRT notes that Trier, Ludwigshafen and the Account Owner's city of residence are all relatively small German cities of similar size, rendering it unlikely that a resident of one of these cities would indicate as his or her city of residence the other city, including for purposes of maintaining a bank account. 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 another claimant, who plausibly identified the Account Owner as her 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 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 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
29 December 2005