

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

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

in re Account of Ernst Adler

Claim Number: 400553/SB^{1,2}

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the account of Ernst (Arnost) Adler.³ This Denial is to the published account of Ernst Adler (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 his paternal cousin, Ernst (Arnost) Adler, who was born on 17 June 1888 in Jesin (today the Czech Republic), and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that his cousin, who was Jewish, was a businessman who resided in Prague, Czechoslovakia (today the Czech Republic). The Claimant further stated that his cousin perished in Auschwitz in 1944. The Claimant indicated that he was born on 23 August 1930 in Prague.

¹ The Claimant submitted two Claim Forms, which were registered under the Claim Numbers 222883 and 400573. The CRT has determined that these claims are duplicate claims and is treating them under the consolidated Claim Number 222883.

² The Claimant submitted eight additional claims, which are registered under the Claim Numbers 218020, 218021, 222881, 222882, 222883, 222884, 223958 and 601352. In a separate decision, the CRT awarded the accounts of Otto Fleischer to the Claimant. See *In re Accounts of Otto Fleischer* (approved on 21 April 2003). In another decision, the CRT denied the Claimant’s claims to the accounts of Karl Grunbaum, Eduard Grunbaum, Leo Grunbaum, Hedwig Popper, Hans Popper and Evzen Grunbaum. See *In re Accounts of Hedwig Popper and Hans Popper* (approved on 10 December 2004).

³ The CRT did not locate an account belonging to Arnost Adler 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 his relative, Ernst Adler. 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.

Account 5035020

The Bank's records indicate that the Account Owner was Ernst Adler. The Bank's records also indicate the Account Owner's city and country of residence, together with 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 his relative. Although the name of his cousin 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 cousin resided in Czechoslovakia. 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 cousin 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 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
17 November 2006