

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]
represented by Sergio Karas

in re Accounts of Max Adler

Claim Number: 214788/SB

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published account of Max Adler (the “Account Owner”) at the [REDACTED] (the “Bank”).¹

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 maternal grandfather, Max Adler, owned a Swiss bank account. The Claimant stated that his grandfather, who was Jewish, was a general merchant, resided in either Germany or Austria and owned a store in Kattowitz, Germany (now Katowice, Poland). The Claimant’s representative indicated that the Claimant’s grandfather died in the Holocaust. The Claimant indicated that he was born on 20 February 1947 in Germany.

The Claimant submitted documents in support of his application, including: (1) a family tree; (2) the Claimant’s birth certificate, which indicates that his mother was [REDACTED], née [REDACTED].

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Max 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”

¹ In his claim, the Claimant also claimed accounts belonging to Hildegard (Gretal) Adler, Jenny (Sarah) Adler, Lotte Adler and Rosa Shutz. In a separate decision, the CRT awarded the account of Hildegard (Gretal) Adler, over which Jenny (Sarah) Adler and Lotte Adler held Power of Attorney, to the Claimant. See *In re Account of Hildegard Adler* (approved on 3 June 2003).

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 1008628

The Bank’s records indicate that Account Owner 1 was Max Adler, who resided in Austria. The Bank’s records also indicate Account Owner 1’s city of residence, title and profession. Furthermore, the Bank’s records indicate the dates 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 grandfather matches the published name of the Account Owner, the information provided by the Claimant differs from the unpublished information about the Account Owner available in the Bank’s records. Specifically, the Claimant stated that his grandfather was a general merchant who owned a store located in Kattowitz, Germany. In contrast, the Bank’s records show that the Account Owner had an unrelated profession and resided in a different country than the one in which the Claimant’s grandfather’s store was located. The CRT also notes that the Claimant did not identify the Account Owner’s title and city of residence as recorded in the Bank’s records. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant’s grandfather 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
10 December 2004