

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Dr. Lilly Weissbrod
represented by Doron Weissbrod¹

in re Account of Zygmunt Aleksandrowicz

Claim Number: 201359/MG

This Certified Denial is based on the claim of Dr. Lilly Weissbrod, née Weinberger, (the “Claimant”) to the published account of Zygmunt Aleksandrowicz (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 her aunt’s husband, Zygmunt (Sigmund) Aleksandrowicz, who was born on 19 May 1894 in Gorlice, Poland, and was married to Cilly Aleksandrowicz, née Neugroeschel, in Vienna, Austria, owned a Swiss bank account. The Claimant stated that her uncle, who was Jewish, was a merchant, and that he resided in Vienna. The Claimant further stated that her uncle fled Austria after the incorporation of Austria into the Reich in March 1938 (the “*Anschluss*”), first to Belgium and then to France. According to the Claimant, the Nazis caught her uncle after he tried to escape to Spain and deported him, together with his wife and daughter, to Auschwitz, where he perished on 4 September 1942. The Claimant stated that she was born on 20 February 1929 in Vienna.

The Claimant submitted documents in support of her application, including witness testimonies from Yad Vashem, filled out by Regina Neugroeschel (the Claimant’s aunt) in 1955, testifying that Zygmunt Aleksandrowicz was married to her sister, Cilly, and that he resided in Vienna.

¹ Mr. Doron Weissbrod submitted an additional claim to the account of Max Weissbrod, which is registered under the Claim Number 201358. In this claim, Mr. Doron Weissbrod represents his mother, Claimant Lilly Weissbrod. The CRT will treat the claim to this account in a separate decision.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Zygmunt (Sigmund) Aleksandrowicz. 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 5034003

The Bank's records indicate that the Account Owner was Zygmunt Aleksandrowicz, who resided in Krakow, Poland. The Bank's records also indicate the Account Owner's street address. In addition, the Bank's records indicate the name of a person who jointly held the account with the Account Owner, and who shared the same last name and resided in the same street address as the Account Owner. Furthermore, the Bank's records indicate the date of opening of the account at issue. Finally, the Bank's records contain the signatures of the Account Owner and of the person who jointly held the account with the Account Owner.

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 her relative. Although the name of her uncle matches 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 her uncle resided in Vienna, Austria. In contrast, the Bank's records show that the Account Owner resided in Krakow, Poland, a city and country to which the Claimant did not establish any connection. In addition, the CRT notes that the Claimant did not identify the person who jointly held the account with the Account Owner, and who shared the same last name and resided at the same street address as the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's uncle are the same person. Moreover, it should be noted that the CRT has awarded the account 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 her 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
31 March 2005