

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]  
represented by Erez Bernstein

**in re Account of Franz Alexander**

Claim Number: 501342/SB

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the Claimant ) to the account of Franz (Frantisek, Shimon) Alexander.<sup>1</sup> This Denial is to the published account of Franz Alexander (the “Account Owner”) at the [REDACTED] (the “Bank”).<sup>2</sup>

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 her husband, Franz Alexander, who was born in 1919 in Mährisch Trubau, Czechoslovakia (today Trebova Moravska, Czech Republic), owned a Swiss bank account. The Claimant stated that her husband, who was Jewish, resided in the Sudetenland region of Czechoslovakia until a short time after the region was annexed by the Reich in 1938, when he fled to Palestine. The Claimant further stated that her husband died in June 1946 in Palestine. The Claimant indicated that she was born on 22 November 1918 in Germany.

### **Information Available in the Bank’s Records**

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Franz Alexander. The auditors who carried out the investigation to identify accounts of Victims

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<sup>1</sup> The CRT did not locate an account belonging to Frantisek (Shimon) Alexander 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 ).

<sup>2</sup> In this claim, the Claimant also claimed the accounts of Egon Alexander. The CRT awarded these accounts to the Claimant in a separate decision. See *In re Accounts of Egon Alexander* (approved on 11 April 2005).

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 1000025

The Bank’s records indicate that the Account Owner was Franz Alexander, who resided in Germany. The Bank’s records also indicate the Account Owner’s title, profession and city of residence. Furthermore, the Bank’s records indicate the dates of opening and 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 her relative. Although the name of her husband 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 husband was born in 1919. In contrast, the Bank’s records show that the Account Owner held a title and practiced a profession at a time when the Claimant’s husband was still a child. The CRT also notes that the Claimant stated that her husband resided in the Sudetenland region of Czechoslovakia, whereas the Bank’s records indicate that the Account Owner resided in a city in Germany itself. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant’s husband 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 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  
29 December 2005