

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Lotte Alexander

Claim Number: 600011/WM^{1,2}

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to an account of Lotte (Lota) Alexander (Alexanderova).³ This Denial is to the published account of Lotte Alexander (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 to the Holocaust Claims Processing Office (“HCPO”) in 1997 asserting that his mother, Lotte Alexander, née Frank, who was born on 13 August 1897 in Prague, Czechoslovakia (today Czech Republic), and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that his mother, who was Jewish, lived in Prague until 1923, then moved to Hannover, Germany, where she lived for two years before returning to Prague, where she lived until she was deported by the Nazis to the Theresienstadt concentration camp in 1942, and then from there to the Warsaw ghetto in Poland, and eventually to the Treblinka concentration camp, where she perished in 1944. The Claimant indicated that he was born on 23 August 1924 in Hanover.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by Lotte Alexander.

¹ The Claimant submitted a claim, numbered B-00118, on 2 October 1997, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT. The Claimant also submitted an Initial Questionnaire (“IQ”) with the Court in 1999. The CRT is treating the HCPO claim and the IQ under the consolidated Claim Number 600011.

² In this claim, the Claimant also claimed the accounts of Hedwig (Hedvika) Frank (Frankova) and Gertrude (Gertruda) Fleischman (Fleischmanova). The CRT will treat the claims to these accounts in separate determinations.

³ The CRT did not locate an account belonging to Lota Alexanderova, 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, Lotte Alexander. 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 or power of attorney holder's names match those 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 5024856

The Bank's records indicate that the Account Owner was Lotte Alexander, who resided in Berlin, Germany. The Bank's records also indicate the Account Owner's home address, maiden name, marital status, the name of the Account Owner's spouse, the name and address of another individual who jointly held the account with the Account Owner and the relationship between the Account Owner and the joint account owner. Finally, the Bank's records contain the Account Owner's and the joint account owner's signatures.

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 Owners

The CRT concludes that the Claimant has not identified the Account Owner as his relative. Although the name of his mother 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 his mother's maiden name was Frank, that she was married to [REDACTED] and resided in Prague until 1923, then in Hanover from 1923 to 1925, and in Prague again from 1925 until her deportation in 1942, and eventual death at Treblinka in 1944. In contrast, the Bank's records indicate that the Account Owner had a different maiden name, was married to a different person and resided in Berlin, Germany. The CRT also notes that the Claimant failed to identify the other person who jointly held the account with the Account Owner, even though that person appears to be related to the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's mother 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 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
30 September 2005