

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Salomon A. Arditti

Claim Number: 205718/MW; 205719/MW

This Certified Denial is based upon the claim of [REDACTED] (the “Claimant”) to the account of Salomon Arditti and the account of Jeanne Arditti.¹ This Denial is to the published account of Salomon A. Arditti (the “Account Owner”) at the Zurich branch of 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 identifying the Account Owner as his father, Salomon Arditti, who was born in 1879 in Thessaloniki, Greece, and was married to Jeanne Arditti, née Hassid, in 1920 in Thessaloniki. The Claimant stated that his father represented the French shipping company *Messagerie Maritime* and was an honorary Consul of Portugal at his work address of Nikis Str. 3 in Thessaloniki. The Claimant further stated that his father lived at Analipseos 13, Thessaloniki, from approximately 1927 to 1939, and at Iatroy Zanna in Thessaloniki from approximately 1940 to 1943. The Claimant explained that his parents, who were Jewish, were arrested by the Nazis in early March 1943, and later perished in Auschwitz. The Claimant submitted, *inter alia*, the death certificate of his sister, [REDACTED], which indicates that she was born in Thessaloniki. The Claimant indicated that he was born on 26 October 1926 in Thessaloniki.

¹ The CRT did not locate an account belonging to Jeanne Arditti 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”). 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.

Information Available in the Bank's Records

The Bank's records consist of a power of attorney form dated 1 April 1933, and a printout from the Bank's database. According to these records, the Account Owner was Salomon A. Arditti, Consul of Portugal, and the Power of Attorney Holder was *Madame* (Mrs.) Jeanne S. Arditti, the Account Owner's wife, who both resided in Thessaloniki, Greece. The Bank's records indicate that the Account Owner held one account, the type of which is not indicated. The Bank's records further indicate that the account was closed on 16 August 1939. The amount in the account on the date of its closure is unknown.

The CRT's Analysis

Joinder of Claims

According to Article 37(1) of the Rules Governing the Claims Resolution Process, as amended (the "Rules"), claims to the same or related accounts may be joined in one proceeding at the CRT's discretion. In this case, the CRT determines it appropriate to join the two claims of the Claimant in one proceeding.

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner and the Power of Attorney Holder. His father's name and city of residence match the published name and city of residence of the Account Owner. The Claimant identified his father's title as a Consul of Portugal and the relationship between the Account Owner and the Power of Attorney Holder, which matches unpublished information about the Account Owner contained in the Bank's records. The CRT notes that a database containing the names of victims of Nazi persecution includes a person named Salomon Arditti, and indicates that he was born in 1879 and died in 1943, which matches the information about the Account Owner provided by the Claimant. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel. The CRT notes that the other claims to this account were disconfirmed because the claimants provided a different spouse's name or different country of residence than the spouse and country of residence of the Account Owner.

Status of the Account Owner as a Victim of Nazi Persecution

The Claimant has made a plausible showing that the Account Owner was a Victim of Nazi Persecution. The Claimant stated that the Account Owner and the Power of Attorney Holder were Jewish, that they were arrested by the Nazis in 1943 and subsequently perished in Auschwitz. As noted above, a person named Salomon Arditti was included in the CRT's database of victims.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is related to the Account Owner and Power of

Attorney Holder by submitting specific biographical information, demonstrating that the Account Owner and Power of Attorney Holder were the Claimant's parents. The CRT notes that the Claimant identified unpublished information about the Account Owner as contained in the Bank's records, and that the Claimant also identified information which matches information contained in the Yad Vashem records, thereby supporting the plausibility that he is related to the Account Owner, as he has asserted in his Claim Form.

The Issue of Who Received the Proceeds

The Bank's records indicate that the account at issue was closed on 16 August 1939, which was prior to the German invasion of Greece on 6 April 1941. Therefore, the CRT determines that the Account Owner or the Power of Attorney Holder was able to access this account, and concludes that the Account Owner closed this account and received the proceeds himself.

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. 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, pursuant to Article 20 of the Rules, the CRT will carry out further research on his claims to determine whether there are additional Swiss bank accounts to which he might be entitled, including research of the Total Accounts Database (consisting of records of 4.1 million Swiss bank accounts which existed between 1933 and 1945).

Certification of the Denial

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal
18 August 2004