

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Denis Georges Landau
also acting on behalf of Pierre René Landau
and Anne Lise Obellianne

**in re Account of Georges Bernheim
and
Accounts of Georges Lévy-Bernheim**

Claim Number: 217229/AH

This Certified Denial is based on the claim of Denis Georges Landau (the “Claimant”) to the account of Georges Bernheim, also known as Georges Berthier. The CRT did not locate an account belonging to Georges Bethier 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”). This Denial is to the published account of Georges Bernheim (“Account Owner 1”), at the [REDACTED] (“Bank I”) and to the published accounts of Georges Lévy-Bernheim (“Account Owner 2”), at the [REDACTED] (“Bank II”).

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 his maternal grandfather, Georges Bernheim, who was born on 3 April 1876, in Milan, Italy, owned a Swiss bank account. The Claimant indicated that his grandfather had one child, Claire Bernheim, from his first wife Jeanne Bernheim, née Fochier, and another child, the Claimant’s mother, Cécile Marguerite Denise Landau, née Bernheim, from his second wife Berthe Bernheim, née Dreyfous. The Claimant also indicated the names of his grandfather’s parents and four brothers. The Claimant indicated that in 1924 his grandfather resided at 16 Rue Pérignon, Paris, France, and then, until May 1940, at 14 Rue Rosa Bonheur, Paris, and that he also maintained a residence in Jambville, France. The Claimant indicated that his grandfather was a university professor and also worked as translator under the pseudonym of Georges Berthier. The Claimant indicated that when German forces invaded France, his grandfather, who was Jewish, fled Paris to southwest France, was incarcerated by the Nazis on 27 September 1943, and deported to Auschwitz on 28 October

1943, where he perished on 2 November 1943. The Claimant indicated that his grandmother died in 1967. The Claimant indicated that he was born on 12 April 1952 in Paris.

The Claimant submitted documents in support of his application, including: (1) Georges Berheim's marriage certificate and family book, indicating his address at 16 Rue Pérignon, Paris; (2) the Claimant's grandmother's nationality certificate and a death certificate, both dated 1947 indicating Georges Bernheim's death in Auschwitz on 2 November 1943 and the address at 14 Rue Rosa Bonheur.

Information Available in the Banks' Records

The CRT notes that the Claimant submitted a claim to an account belonging to his maternal grandfather, Georges Bernheim. The auditors who carried out the ICEP Investigation reported three accounts whose owners' names match or are substantially similar to that of the Claimant's maternal grandfather's. Each 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 4020246

Bank 1's records indicate that Account Owner 1 was Georges Bernheim, who resided in Paris, France. Bank 1's records also indicate the name of Account Owner 1's wife, who was also the joint owner of the account at issue, the number of Account Owner 1 and his wife's children, Account Owner 1 and his wife's street address, and their fate. Furthermore, Bank 1's records indicate the dates of opening and closing of the account at issue.

Accounts 5031974 and 5031975

Bank 2's records indicate that Account Owner 2 was Georges Lévy-Bernheim, who resided in Strassbourg, France. Bank 2's records also indicate the names of the persons who jointly held the accounts at issue and the contact person for these accounts, all of whom appear to be related to Account Owner 2. Bank 2's records also indicate Account Owner 2's street address and the joint account owners' and contact person's street addresses, cities and countries of residence. Bank 2's records further indicate the relationship between two of the joint account owners. Furthermore, Bank 2's records indicate the dates of opening and closing of the accounts 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.

Identification of the Account Owner

As for Account 4020246, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his maternal grandfather matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the unpublished information about Account Owner 1. Specifically, the Claimant indicated that his grandfather's first wife was called Jeanne, and his second wife was called Berthe. In contrast, Bank 1's records show that Account Owner 1's wife, who was also the joint account owner, had a different name. In addition, the Claimant indicated that his grandfather had two children. In contrast, Bank 1's records show that Account Owner 1 had a different number of children. Furthermore, the Claimant indicated that in 1924 his grandfather resided at 16 Rue Pérignon, Paris, and then, until May 1940, at 14 Rue Rosa Bonheur, Paris. In contrast, Bank 2's records show that Account Owner 1 had a different street address, in a different quarter of Paris, during that period. Moreover, the Claimant indicated that his grandfather was incarcerated by the Nazis in southwest France, and was deported to Auschwitz, where he perished. The Claimant also indicated that his grandmother survived the Holocaust. In contrast, Bank 1's records show that Account Owner 1 and his wife had different fates. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's maternal grandfather are the same person.

As for Accounts 5031974 and 5031975, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his maternal grandfather is similar to the published name of Account Owner 2, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 2. Specifically, the Claimant indicated that from 1924 to 1940 his grandfather resided in Paris, France, that he also maintained a residence in Jambville, France, and that in 1940 he fled to southwest France. In contrast, Bank 2's records show that Account Owner 2 resided in Strassbourg, France. In addition, the documents and information provided by the Claimant indicate that his grandfather's last name was Bernheim. In contrast, Bank 2's records show that Account Owner 2's name last was Lévy-Bernheim. The CRT also notes that the Claimant failed to identify the names, addresses, cities and countries of residence of the joint account owners and contact person of the accounts at issue, although they appear to be related to Account Owner 2. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's maternal 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: The Claims Resolution Tribunal, P.O. Box 1874, Old Chelsea Station, New York, NY 10113, 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
18 August 2004