

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]
also acting on behalf of [REDACTED] and [REDACTED]

in re Accounts of Jean-Pierre Bernheim

Claim Numbers: 215347/CN; 215433/CN¹

This Certified Denial is based on the claims of [REDACTED], née [REDACTED], (the “Claimant”) to the accounts of André Blin and Yvonne Blin.² This denial is to the published accounts of Jean-Pierre Bernheim (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 two Claim Forms asserting that Jean-Pierre Bernheim held power of attorney over Swiss bank accounts owned by her grandparents, André Blin and Yvonne Blin, née Javal. In a telephone conversation with the CRT on 16 October 2001, the Claimant stated that Jean-Pierre Bernheim was possibly a cousin of her grandmother, Yvonne Blin, who was Jewish. In a subsequent e-mail correspondence to the CRT dated 23 September 2003, however, the Claimant stated that Jean-Pierre Bernheim was her grandparents’ friend and was not related to them. The Claimant was unable to provide additional information about him. The Claimant indicated that she was born on 25 December 1946 in Neuilly sur Seine, France.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted claims to an account belonging to Jean-Pierre

¹ According to Article 37 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.

² In a separate decision, the CRT awarded the accounts of André Blin and Yvonne Blin to the Claimant. See *In re Accounts of André Blin and Yvonne Blin* (approved on 31 August 2005).

Bernheim. 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 five accounts whose owner’s name matches that provided by the Claimant. Upon review of the bank documents, the CRT located two additional accounts that was not reported by the auditors. The accounts are identified below by Account Identification Numbers, which are numbers assigned to the accounts by the ICEP auditors for tracking purposes.

Accounts 5026227, 5033037, 5033038, 5033039, 5033294, 5026227.1, and 5033294.1

The Bank’s records indicate that the Account Owner was Jean-Pierre Bernheim, who resided in Paris. The Bank’s records also indicate the other city and country of residence of the Account Owner, as well as his title, street address, country of citizenship, the name of the person who held power of attorney over three accounts, and the relationship between the Account Owner and the power of attorney holder. Furthermore, the Bank’s records indicate the opening and closing dates of the accounts at issue.

The CRT’s Analysis

Admissibility of the Claim

The CRT has determined that the claims are admissible according to Article 18 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”).

Identification of the Account Owner

The CRT notes that the name of the Claimant’s grandparents’ friend matches the published name of the Account Owner. However, because the Claimant has not asserted a relationship to the Account Owner that would make her entitled to the Account Owner’s account, as explained below, the CRT has not made a determination regarding whether the Claimant has plausibly identified the Account Owner.

The Claimant’s Relationship to the Account Owner

In e-mail correspondence to the CRT dated 23 September 2003, the Claimant stated that she was not related to the Account Owner, who was a friend of her grandparents. In the absence of a family relationship between the Claimant and the Account Owner, or a will or testamentary documents indicating that the Claimant is a beneficiary of the Account Owner, the Claimant is not entitled to the Account Owner’s account. Moreover, it should be noted that the CRT has awarded the accounts to another claimant, who plausibly identified the Account Owner as her 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 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 Numbers which form 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 claims 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
6 May 2006