

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Gustav Landauer and Gertrud Landauer

Claim Number: 207097/AH

This Certified Denial is based upon the claim of [REDACTED] (the “Claimant”) to the published accounts of Gustav Landauer (“Account Owner 1”) at the [REDACTED] (the “Bank”), and of Gertrud Landauer (“Account Owner 2”) (together the “Account Owners”) at the Zurich branch of 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 asserting that his paternal uncle, Gustav Landauer, who was born on 1 October 1887 in Gerabronn, Germany, and was married to [REDACTED], née [REDACTED] in Bonn, Germany, owned a Swiss bank account. The Claimant further asserted that Gustav Landauer’s daughter, Gertrud Landauer, who was born on the 19 September 1922, also owned a Swiss bank account. The Claimant indicated that his uncle, who was Jewish, resided at Kantstrasse 5, in Mannheim, Germany. The Claimant further stated that his uncle and his father jointly owned *Faserstoff-Werke G.m.b.H.*, a fiber works business located in Mannheim. In a telephone conversation with the CRT on 30 April 2004, the Claimant indicated that his uncle had business connections throughout Germany and Switzerland, and that one of his uncle’s major clients in Germany was located in Wertheim. The Claimant indicated that his uncle perished in Bergen-Belsen, and that the Nazis killed his spouse and daughter during their deportation to Theresienstadt. The Claimant indicated that he was born on 8 May 1914 in Mannheim.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to accounts belonging to his relatives, Gustav Landauer and Gertrud Landauer. 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 four accounts whose owners’ names match those provided by the Claimant. 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.

Accounts 1010380 and 1010381

The Bank's records indicate that Account Owner 1 was Gustav Landauer, who resided in Germany. The Bank's records also indicate Account Owner 1's city of residence and title. Furthermore, the Bank's records indicate the opening date of one of the accounts at issue and the closing date of both of the accounts at issue.

Accounts 1010378 and 1010379

The Bank's records indicate that Account Owner 2 was Gertrud Landauer, who resided in Germany. The Bank's records also indicate Account Owner 2's city of residence. In addition, the Bank's records employ a form of address for Account Owner 2, indicating that she was married or of a mature age. Furthermore, the Bank'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 Governing the Claims Resolution Process, as amended (the "Rules").

Identification of the Account Owners

With respect to Accounts 1010380 and 1010381, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his uncle matches the published name of Account Owner 1, the information provided by the Claimant differs from the unpublished information about Account Owner 1 available in the Bank's records. Specifically, the Claimant stated that his uncle resided in Mannheim, where his daughter was born and where his business was located. In contrast, the Bank's records show that Account Owner 1 resided in a different city, more than 400 kilometers away, to which the Claimant established no connection. Furthermore, the Claimant did not identify Account Owner's 1 professional title. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's uncle are the same person.

With respect to Accounts 1010378 and 1010379, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his cousin matches the published name of Account Owner 2, the information provided by the Claimant differs from the unpublished information about Account Owner 2 available in the Bank's records. Specifically, the Claimant stated that his cousin was born and resided with her family in Mannheim. In contrast, the Bank's records show that Account Owner 2 resided in a different city, more than 400 kilometers away. In addition, the Bank's records show that at the time the accounts were

opened, Account Owner 2 was either married or of a mature age. In contrast, the Claimant's cousin was still a child at that time. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's cousin 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 the Special Master, c/o Claims Resolution Tribunal, P.O. Box 9564, 8036 Switzerland.

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
29 June 2004