

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant John Lange
also acting on behalf of Helen Sherlock

**in re Account of Hans Lange
and
Accounts of Max Lange**

Claim Number: 501144/SB

This Certified Denial is based on the claim of John Lange (the “Claimant”) to the published accounts of Hans Lange (“Account Owner 1”) at the [REDACTED] (“Bank 1”) and Max Lange (“Account Owner 2”) at the [REDACTED] (“Bank 2”).¹

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 father, Hans Lange, and his grandfather, Max Lange, who were both Jewish, each owned a Swiss bank account. The Claimant stated that his father was born on 12 April 1907 in Krefeld, Germany, and was married to Lore Busack on 27 July 1939 in Amsterdam, Holland. The Claimant further stated that his father was a draper and that he resided in Augsburg, Germany until 1936 when he fled to Amersfort, Holland. The Claimant continued that his father emigrated to Australia in 1950, where he died on 26 November 1994. The Claimant also stated that his grandfather was born on 18 October 1856 in Kassel, Germany and was married to Helene Davids. The Claimant further stated that his grandfather was a restaurateur and hotelier who resided in Krefeld, Germany. According to the Claimant his grandfather fled Germany, on an unknown date, to Holland, and that he was subsequently deported to a concentration camp, where he perished. The Claimant indicated that he was born on 18 October 1954 in Melbourne, Australia.

The Claimant submitted documents in support of his claim, including his father’s death certificate, which indicates that his father was born in Krefeld, was married in Amsterdam, Holland and that the Claimant’s grandfather was a restaurateur.

¹ In this claim, the Claimant also claimed the account of Julius Busack. The CRT will treat the claim to this account in a separate determination.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relatives, Hans Lange and Max Lange. 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 three 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.

Account 1011674

Bank 1's records indicate that Account Owner 1 was Hans Lange, who resided in Germany. Bank 1's records also indicate Account Owner 1's title, city of residence in Germany and a second city and country of residence. Furthermore, the Bank's records indicate the dates of opening and closing of the account at issue.

Accounts 5029157 and 5029899

Bank 2's records indicate that Account Owner 2 was Max Lange, who resided in Munich, Germany and that the Power of Attorney Holder was Tilly Lange. Bank 2's records also indicate Account Owner 2's title and the closing date for one 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

As for Account 1011674, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his father matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the unpublished information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant stated that his father lived in Augsburg, Germany until 1936, when he fled to Holland. In contrast, Bank 1's records show that Account Owner 1 resided in a city in Germany which is over 500 kilometers from Augsburg. The CRT also notes that the Claimant did not identify Account Owner 1's second country of residence. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's father are the same person.

As for Accounts 5029157 and 5029899, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his grandfather matches 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 available in Bank 2's records. Specifically, the Claimant stated that his grandfather resided in Krefeld, Germany. In contrast, Bank 2's records show that Account Owner 2 resided in Munich, Germany, which is over 550 kilometers from Krefeld. The CRT also notes that the Claimant did not indicate that his grandfather had a professional or academic title, whereas Bank 2's records indicate that Account Owner 2 had such a title. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's grandfather are the same person.

The CRT has taken utmost care in matching the names of the persons identified by the Claimant as possible account owners to names of actual account owners identified in the Account History Database prepared pursuant to the ICEP Investigation, which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules. The CRT uses advanced name matching systems that consider variations of names, including name variations provided by Yad Vashem, Israel, to ensure that all possible name matches are identified. The CRT has reviewed this claim carefully and analyzed matches to accounts belonging to account owners with alternative spellings of Hans Lange and Max Lange's surnames, which include Lang, and has determined that these accounts do not belong to the Claimant's relatives.

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 or the alternative surname) of the Account Owner identified above, which 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 December 2005