

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

**in re Accounts of Fritz Langer
and
Account of Olga Langer
(Power of Attorney Holder Fritz Langer)¹**

Claim Number 213472/KP²

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the accounts of Fritz Langer, Martin Langer, Margarete Langer, Anita Neugebauer, née Langer, and [REDACTED]. The CRT did not locate an account belonging to Martin Langer, Margarete Langer, Anita Neugebauer, née Langer, or [REDACTED] 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 This Denial is to the published account of Olga Langer (“Account Owner 1”) and to the unpublished accounts of Fritz Langer (“Account Owner 2”), both at the [REDACTED] (the “Bank”).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 a Claim Form asserting that Fritz Langer, his brother, who was Jewish and who was born on 12 August 1914 in Berlin, Germany, owned a Swiss bank account. The Claimant added that, in 1933, his father, [REDACTED], told the family that he had deposited a

¹ In an effort to locate any and all accounts that might have belonged to the Claimant’s relative, the CRT has reviewed and analyzed all accounts whose power of attorney holders’ names match to that of the Claimant’s relative, even if the Claimant did not specifically claim that particular account and even if the Claimant could not identify the owner of the account as his relative.

² The Claimant submitted two Claim Forms, which were registered under the Claim Numbers 200957 and 213472. The CRT has determined that these claims are duplicate claims and is treating them under the consolidated Claim Number 213472. Furthermore, The Claimant previously submitted an ATAG Ernst & Young claim form in 1998 and an Initial Questionnaire with the Court in 1999 that are also registered under the consolidated Claim Number 213472.

large sum of money into a Swiss bank account. The Claimant stated that his father could have opened the account in his own name or in the name of his wife, [REDACTED], or one of their children, Fritz, [REDACTED], or [REDACTED]. The Claimant stated further that the family was persecuted by the Nazis and that his relatives were deported to Oranienburg. The Claimant stated that his brother survived the Holocaust and died on 5 May 1989 in Buenos Aires, Argentina. The Claimant indicated that he was born on 20 August 1912 in Berlin.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999 and an ATAG Ernst & Young claim form in 1998, asserting his entitlement to a Swiss bank account owned by Fritz Langer and the Langer family.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Fritz Langer. The auditors who carried out the ICEP Investigation reported one account whose owner's name matches that provided by the Claimant and one account whose power of attorney holder's name matches that provided by the Claimant. Upon review of the bank documents, the CRT also located two additional accounts. 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 5029488 and 5029488.1

The Bank's records indicate that Account Owner 1 was Olga Langer, who resided in Vienna, Austria, and that the Power of Attorney Holder was Fritz Langer. The Bank's records also specify Account Owner 1's street address, her relationship to the Power of Attorney Holder and the Power of Attorney Holder's title in the mid 1920s. Furthermore, the Bank's records show the dates on which the accounts at issue were closed. Finally, the Bank's records contain Account Owner 1's and the Power of Attorney Holder's signatures.

Accounts 5035837 and 5035837.1

The Bank's records indicate that Account Owner 2 was Fritz Langer. The Bank's records also list Account Owner 2's street address, city and country of residence, his title in the mid 1920s, and the name of his spouse. Finally, the Bank's records contain Account Owner 2's signature.

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 Owners

With respect to Accounts 5029488 and 5029488.1, the CRT concludes that the Claimant has not identified Power of Attorney Holder Fritz Langer as his relative. Although the name of his brother matches the published name of the Power of Attorney Holder, the information provided by the Claimant differs from the unpublished information about the Power of Attorney Holder available in the Bank's records. Specifically, the Claimant stated that his brother was born in 1914 in Berlin. In contrast, the Bank's records show that the Power of Attorney Holder was already married and had a professional title in the mid 1920s, when the Claimant's brother was still a teenager. The Bank's records also show that the Power of Attorney Holder lived in a different country than that in which the Claimant's brother lived. In addition, the CRT notes that the Claimant did not identify Account Owner 1 as his relative even though Account Owner 1 was closely related to the Power of Attorney Holder. Consequently, the CRT is unable to conclude that Power of Attorney Holder Fritz Langer and the Claimant's relative is the same person. Moreover, it should be noted that the CRT has awarded the accounts to other claimants who plausibly identified Account Owner 1 as their relative. All decisions are published upon release on the CRT's website at www.crt-ii.org.

In regard to Accounts 5035837 and 5035837.1, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his brother matches the unpublished 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 brother was born in 1914 in Berlin. In contrast, the Bank's records show that Account Owner 2 was already married and had a professional title in the mid 1920s, when the Claimant's brother was still a teenager. The Bank's records also show that Account Owner 2 lived in a different country than the one in which the Claimant's brother lived. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's relative is the same person. Moreover, it should be noted that the CRT has awarded the accounts to other claimants, who plausibly identified Account Owner 2 as their 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 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. 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
24 December 2004