

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Allan Gordon Zamost

in re Account of Maxime Lazar

Claim Number: 201457/AY

This Certified Denial is based on the claim of Allan Gordon Zamost (the “Claimant”) to the account of David Zyamostyvec and to the published account of Maxime Lazar. The CRT did not locate an account belonging to David Zyamostyvec 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 Maxime Lazar (the “Account Owner”) at the Lausanne branch of the [REDACTED] (the “Bank”).

All denials are published, but 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 great-uncle, Maxime Lazar, who was born in 1898 in Budapest, Hungary, owned a Swiss bank account. The Claimant stated that his great-uncle, who was Jewish, was employed as a teacher. The Claimant stated that his great-uncle perished while performing slave labor in 1944 in Bergen-Belsen. In a telephone conversation with the CRT on 19 March 2004, the Claimant stated that all the information about his relative was relayed to him by his grandparents, Rose and Louise Lazar (Maxime Lazar’s brother), who came from Poland to the United States in 1902 or 1903. The Claimant could not indicate any connection between his great-uncle and Bucharest, Romania, although he suggested that his relative might have been sent to perform slave labor there. The Claimant stated that he was born on 5 November 1935 in Chicago, Illinois, the United States.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999 asserting his entitlement to a Swiss bank account owned by David Zyamostyvec.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Maxime Lazar. The auditors who carried out the ICEP Investigation reported one account whose owner's name matches to that provided by the Claimant. The 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 5033299

The Bank's records indicate that the Account Owner was Maxime Lazar, who resided in Bucharest, Romania. Furthermore, the Bank's records indicate the opening date of the account.

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

The CRT concludes that the Claimant has not identified Account Owner Maxime Lazar as his relative. Although the name of his great-uncle matches the published name of Account Owner Maxime Lazar, the information provided by the Claimant differs from the published information about Account Owner Maxime Lazar available in the Bank's records. Specifically, the Claimant stated that his great-uncle was born in Budapest, Hungary, and could not indicate other places of residence. In contrast, the Bank's records indicate that Account Owner Maxime Lazar resided in Bucharest, Romania. Consequently, the CRT is unable to conclude that Account Owner Maxime Lazar and the Claimant's great-uncle 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 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