

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Daniel Spitzer
represented by Peter Tomlinson

**in re Account of Georg Lederer
and
Accounts of Georg Richard Lederer**

Claim Number: 402166/MG

This Certified Denial is based on the claim of Daniel Spitzer (the “Claimant”) to the account of Georg Lederer. This Denial is to the published account of Georg Lederer (“Account Owner 1”) at the [REDACTED] (“Bank 1”) and to the published accounts of Georg Richard Lederer (“Account Owner 2”) at the [REDACTED] (“Bank 2”).

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 in 2005, asserting that his uncle, Georg Lederer, who was born in approximately 1907 in Czechoslovakia, and was married to Anna Himmelblau, owned a Swiss bank account. The Claimant stated that his uncle, who was Jewish, was a judge and a Czech citizen. The Claimant further stated that his uncle was deported to Auschwitz, where he perished in 1942. The Claimant indicated that he was born on 28 November 1946 in Czechoslovakia.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Georg Lederer. 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 that 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 1008973

Bank 1's records indicate that Account Owner 1 was Georg Lederer. Bank 1's records also indicate Account Owner 1's city and country of residence. Furthermore, Bank 1's records indicate the dates of opening and closing of the account at issue.

Accounts 5024720 and 5024722

Bank 2's records indicate that Account Owner 2 was Georg Richard Lederer, who resided in Markneukirchen, Germany, and that the Power of Attorney Holder was *Frau* (Mrs.) Richard Lederer. Bank 2's records also indicate Account Owner 2's street address. Furthermore, Bank 2's records indicate the date on which the power of attorney form was signed. Finally, Bank 2's records contain Account Owner 1'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 Governing the Claims Resolution Process, as amended (the "Rules").

Identification of the Account Owners

As for Account 1008973, 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 materially from the unpublished information about Account Owner 1 available in Bank 1's records. Specifically, according to the Claimant his uncle resided in Czechoslovakia until his deportation to Auschwitz. In contrast, Bank 1's records show that Account Owner 1 resided in a different country, which the Claimant did not identify. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's uncle are the same person.

As for Accounts 5024720 and 5024722, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his uncle matches the published name of Account Owner 2, the information provided by the Claimant differs materially from the published information about Account Owner 2 available in Bank 2's records. Specifically, according to the Claimant his uncle resided in Czechoslovakia until his deportation to Auschwitz. In contrast, Bank 2's records show that Account Owner 2 resided in Germany. The CRT also notes that the Claimant did not identify Account Owner 2's other first name Richard. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's uncle are the same person.

Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules, the Claimant may appeal this decision or submit a request for reconsideration within ninety (90) days of the date of the letter accompanying this decision.

An appeal must be based upon a plausible suggestion of error regarding the CRT's conclusions set out in this decision. Any appeals which are submitted without a plausible suggestion of error shall be summarily denied. A request for reconsideration must be based on new documentary evidence not previously presented to the CRT that, if considered, would have led to a different outcome of the claim. Claimants should briefly explain the relevance of the newly submitted documents in view of the conclusions stated in the certified decision.

The Claimant should send appeals and/or requests for reconsideration in writing to the following address: Oren Wiener, Claims Resolution Tribunal, Attention: Appeals / Request for Reconsideration, P.O. Box 9564, 8036 Zurich, Switzerland. If more than one account has been treated in this decision, the Claimant should identify the account, including, where available, the Account Identification Number, that forms the basis of the appeal and/or request for reconsideration.

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
23 March 2007