

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to the Estate of Claimant Elizabeth Polt  
represented by John Polt

**in re Account of Richard Lederer**

Claim Number: 400399/SB<sup>1</sup>

This Certified Denial is based on the claim of Elizabeth Polt, née Lederer, (the “Claimant”) to the account published on the List of Account Owners published in 2005 (the “2005 List”) of Richard Lederer (the “Account Owner”) at the [REDACTED] (the “Bank”).

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 her father, Richard Lederer, who was born on 31 May 1869 in Obersekerschan, (today the Czech Republic), and was married to Josefine Klepsch on 5 June 1900 in Aussig, (today the Czech Republic), owned a Swiss bank account. The Claimant further stated that her father, who was Jewish, was a manager of a coal business and resided in Aussig until his death in 1936. The Claimant further stated that several of her father’s family fled Czechoslovakia after 1938. The Claimant indicated that she was born on 2 April 1902 in Aussig.

### **Information Available in the Bank’s Records**

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Richard Lederer. The CRT further notes that there is one Richard Lederer published in the 2005 list and that 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 that the Richard Lederer published on the 2005 list owned

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<sup>1</sup> The Claimant submitted two additional claims, which are registered under the Claim Numbers 219873 and 219874. In separate decisions, the CRT awarded the accounts of Richard Lederer, Josefine Lederer, Friedrich Pollatschek, Elizabeth Pollatschek and Wilhelm Lederer, to the Claimant. See *In re Accounts of Richard and Josefine Lederer* and *In re Accounts of Friedrich Pollatschek and Elizabeth Pollatschek* (both approved on 20 November 2002) and *In re Accounts of Wilhelm Lederer* (approved on 23 June 2003).

two 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 1009255 and 1009256

The Bank's records indicate that the Account Owner was Richard Lederer. The Bank's records also indicate the Account Owner's title, city and country of residence. Furthermore, the Bank's records indicate the dates of opening of both of the accounts at issue and the date of closing of 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 Owner

The CRT concludes that the Claimant has not identified the Account Owner as her relative. Although the name of her father matches the published name of the Account Owner, the information provided by the Claimant differs materially from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her father resided in Czechoslovakia. In contrast, the Bank's records show that the Account Owner resided in a city in another country, which the Claimant did not identify. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father are the same person. Moreover, it should be noted that the CRT has awarded the accounts to another claimant, who plausibly identified the Account Owner as his relative. All decisions are published upon release on the CRT's website at [www.crt-ii.org](http://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 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, 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 her 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  
7 June 2006