

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant Dorothy Weber-Brown

**in re Account of Alfred Lesser  
and  
Accounts of Else Leser<sup>1</sup>**

Claim Number: 209448/AH<sup>2</sup>

This Certified Denial is based on the claim of Dorothy Weber-Brown, née Dreifuss, (formerly known as Dorothy de Lessert, Dorothy Schönemann, Dorothy Brown and Dorothy Scheuer) (the “Claimant”) to the published account of Alfred Lesser, the account of Else Lesser-Aschheim, née Bellmann, and the account of Henry de Lessert (or Delessert) (formerly known as Heinrich (Heinz) Lesser). The CRT did not locate an account belonging to Henry de Lessert, Henry Delessert, Heinrich Lesser, Heinz Lesser, Else Aschheim or Else Ballmann 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 Alfred Lesser (“Account Owner 1”) at the [REDACTED] (the “Bank”), and to the published accounts of Else Leser (“Account Owner 2”) at 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 asserting that her father-in-law, Alfred Lesser, and his wife Else Lesser, née Bellmann, owned Swiss bank accounts. The Claimant stated that Alfred and Else Lesser were married in approximately 1901, in Berlin, Germany and had two children: Henry (Heinz), the Claimant’s late husband, and Werner (Warner) Kurt. The Claimant indicated

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<sup>1</sup> 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 owners’ names are substantially similar to that of the Claimant’s relative, even if the Claimant did not specifically claim that particular account. Moreover, the CRT recognizes that, in many cases, spellings of names have changed due to the passage of time in the decades since the Second World War, as well as due to the transcription of names into different languages.

<sup>2</sup> The Claimant submitted an Initial Questionnaire with the Court in 1999 and a Claim Form to the CRT. The CRT is treating the Initial Questionnaire and the Claim Form under the consolidated Claim Number 209448.

that Alfred Lesser worked in Berlin, resided at Nettelbachstrasse 23, Berlin-Charlottenburg in 1906, and his last known address was Bayernallee 48, Berlin. The Claimant added that Alfred Lesser's family owned real estate on Jägerstrasse, Tirpitz Ufer, and von der Heydt, Berlin. The Claimant stated that her father-in-law died on 8 June 1915. The Claimant further indicated that Else Lesser, who was Jewish, remarried on 25 September 1918 and was thereafter known as Else Aschheim. The Claimant indicated that Else Aschheim resided at Landhausstrasse 38 in Berlin, until she was deported to Theresienstadt in 1942, and later to Auschwitz, where she perished. The Claimant indicated that she was born on 11 February 1914 in Berlin.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Henry de Lessert (Heinrich Lesser), Alfred Lesser and Else Lesser or Else Aschheim.

The Claimant submitted documents in support of her application, including: (1) certificates of inheritance of Alfred Lesser, Else Aschheim, and their sons; (2) the birth certificate of Werner Kurt Lesser; and (3) correspondence regarding restitution of real estate in Berlin to the heirs of Alfred Lesser.

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

The CRT notes that the Claimant submitted a claim to accounts belonging to her relatives, Alfred Lesser and Else Lesser (Aschheim). The auditors who carried out the ICEP Investigation reported four accounts whose owners' names match or are substantially similar to 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 5029847

The Bank's records indicate that Account Owner 1 was Alfred Lesser, who resided in Berlin, Germany. The Bank's records also indicate Account Owner 1's street address in Berlin. Furthermore, the Bank's records indicate the name and address of a person who jointly held the account at issue, and who appears to be closely related to Account Owner 1, and the date of last known contact of Account Owners with the Bank. Finally, the Bank's records indicate the date of closing of the account at issue.

#### Accounts 5024801, 5026798 and 5035151

The Bank's records indicate that Account Owner 2 was *Frau* (Mrs.) Else Leser, who resided in Zurich, Switzerland, and that the Power of Attorney Holders were Erwin Dzialoschinsky and *Frau* (Mrs.) Lotte Dzialoschinsky. The Bank's records also indicate Account Owner 2's street address. Furthermore, the Bank's records indicate the name and addresses of Account Owner 2's husband and a date of contact of Account Owner 2's husband with the Bank. Furthermore, the Bank's records indicate the date of closing 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.

### Identification of the Account Owners

As for Account 5029847, the CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Although the name of her father-in-law 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 the Bank's records. Specifically, the Claimant stated that her father-in-law died in 1915. In contrast, the Bank's records show that Account Owner 1 personally contacted the Bank many years after the death of the Claimant's father-in-law. The CRT notes that the Claimant failed to identify the joint account owner, although this person appears to be closely related to Account Owner 1. Furthermore, the Claimant indicated several of his relatives' business and residential street addresses in Berlin. In contrast, the Bank's records show that Account Owner 1 resided at a different address. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's father-in-law are the same person.

As for Accounts 5024801, 5026798 and 5035151, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the name of her mother-in-law is substantially similar to 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 the Bank's records. Specifically, the Claimant stated that her mother-in-law was married to Alfred Lesser, who died in 1915, and that she later remarried and took the name Aschheim. In contrast, the Bank's records show that Account Owner 2 was married to another person. Furthermore, the Claimant indicated that her mother-in-law resided in Berlin until her deportation. The Bank's records show that Account Owner 2 resided in Zurich, Switzerland. The CRT also notes that the Claimant failed to identify the Power of Attorney Holders to the accounts at issue. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's mother-in-law 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 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  
18 August 2004