

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

**in re Account of Albert Levy
and
Account of A. Levy**

Claim Number: 223268/AH

This Certified Denial is based upon the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the published account of Albert Levy.

This Denial is to the published account of Albert Levy (“Account Owner 1”) at the [REDACTED] (“Bank 1”), to the published account of Albert Levy (“Account Owner 2”) at the [REDACTED] (“Bank 2”), to the published account of Albert Levy (“Account Owner 3”) at Bank 1, and to the unpublished account of A. Levy (“Account Owner 4”) at the [REDACTED] (“Bank 3”).

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 her maternal great-uncle, Albert Levy, who was born on 2 September 1875 in Illingen, Germany, to [REDACTED] and [REDACTED], owned a Swiss bank account. The Claimant stated that Albert Levy, who was Jewish, was married to [REDACTED], née [REDACTED], and that the couple did not have children. According to the Claimant, Albert Levy resided in Frankfurt am Main, Germany, where he owned a lace store at An der Zeile. The Claimant stated further that her great-uncle was deported by the Nazis from Frankfurt am Main and never returned. The Claimant indicated that [REDACTED] survived the Holocaust and died in Frankfurt am Main after the Second World War. The Claimant indicated that she was born in 1938 in Luxembourg.

The Claimant submitted documents in support of her application, including: (1) a detailed family tree indicating that Albert Levy had one sibling, a sister, [REDACTED], née [REDACTED]; (2) Albert Levy's birth certificate; (3) [REDACTED]'s birth certificate; (4) the marriage certificate of [REDACTED]; (5) the Claimant's mother's birth certificate; and (6) the Claimant's birth certificate.

Information Available in the Banks' Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Albert Levy. 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 four accounts whose owners' names match or are substantially similar to 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 5023899

Bank 1's records indicate that Account Owner 1 was Albert Levy, who resided in Frankfurt, Germany, and that the Power of Attorney Holders were Gretl Jahn, Frieda Kreuzer and Johanna Levy. Bank 1's records also indicate an additional last name of Account Owner 1, the name and addresses of Account Owner 1's business, two of Account Owner 1's street addresses and two of the Power of Attorney Holders' street addresses. Bank 1's records also indicate the names of other persons related to the account as well as information about Account Owner 1's sibling.

Account 1001727

Bank 2's records indicate that Account Owner 2 was Albert Levy, who resided in Strasbourg, France. Bank 2's records also indicate Account Owner 2's title and occupation. Furthermore, Bank 2's records indicate the date of closing of the account at issue.

Account 5030082

Bank 1's records indicate that Account Owner 3 was Albert Levy, who resided in Saint Amarin, France. Furthermore, Bank 1's records indicate the date of opening of the account at issue.

Account 3016899

Bank 3's records indicate that Account Owner 4 was A. Levy. Bank 3's records also indicate Account Owner 4's city and country of residence.

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

With regard to Account 5023899, the CRT is unable to conclude that Account Owner 1 and the Claimant's great-uncle are the same person. Although the name of her great-uncle matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 1 and the Power of Attorney Holders available in Bank 1's records. Specifically, the Claimant stated that her relative owned a lace store at An der Zeile, Frankfurt am Main. In contrast, Bank 1's records show that Account Owner 1 owned a different type of business, located at a different address in Frankfurt am Main. Moreover, the Claimant stated that her relative had one sibling, a sister, and this information does not match the information about Account Owner 1 provided in Bank 1's records. In addition, the CRT notes that the Claimant did not identify Account Owner 1's additional last name, the other persons related to the account, or the Power of Attorney Holders.

With regard to Account 1001727, the CRT is unable to conclude that Account Owner 2 and the Claimant's great-uncle are the same person. Although the name of her great-uncle matches 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 Bank 2's records. Specifically, the Claimant stated that her relative was born in Germany and was married in Frankfurt am Main, where he resided and worked. In contrast, Bank 2's records show that Account Owner 2 resided in Strasbourg, France. In addition, the Claimant stated that her relative owned a lace store. In contrast, Bank 2's records show that Account Owner 2 had a different occupation. In addition, the CRT notes that the Claimant did not identify Account Owner 2's title.

With regard to Account 5030082, the CRT is unable to conclude that Account Owner 3 and the Claimant's great-uncle are the same person. Although the name of her great-uncle matches the published name of Account Owner 3, the information provided by the Claimant differs from the published information about Account Owner 3 available in Bank 1's records. Specifically, the Claimant stated that her relative was born in Germany and was married in Frankfurt am Main, where he resided and worked. In contrast, Bank 1's records show that Account Owner 3 resided in Saint Amarin, France.

With regard to Account 3016899, the CRT is unable to conclude that Account Owner 4 and the Claimant's mother's uncle are the same person. Although the name of her great-uncle is substantially similar to the unpublished name of Account Owner 4, the information provided by the Claimant differs from the unpublished information about Account Owner 4 available in Bank 3's records. Specifically, the Claimant stated that her relative was born in Illingen, Germany and was married in Frankfurt am Main, where he resided and worked. In contrast, Bank 3's records show that Account Owner 4 resided in a different city, over 350 kilometres from Frankfurt am Main and over 240 kilometres from Illingen.

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