

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Julius Levy

Claim Number: 214816/SB

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published account of Julius Levy (the “Account Owner”) at the [REDACTED] (the “Bank”).

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 his father, Julius Levy, who was born on 11 February 1875 in Hamburg, Germany and was married to [REDACTED] in 1920 in Altona, Germany, owned a Swiss bank account. The Claimant stated that his father, who was Jewish, resided in Altona, where he owned a wholesale paper and stationary business, until he was deported by the Nazis. The Claimant continued that the Nazis murdered his father in 1942, in the Riga Ghetto. The Claimant indicated that he was born on 11 June 1922 in Altona.

The Claimant submitted documents in support of his application, including: (1) the Claimant’s birth certificate which indicates that his father was Julius Levy; (2) his father’s birth certificate.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Julius 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 one account whose owner’s name matches 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 1014791

The Bank's records indicate that the Account Owner was Julius Levy, who resided in Germany. The Bank's records also indicate another city and country of residence for the Account Owner and dates of correspondence between the Account Owner and the Bank. Furthermore, the Bank's records indicate the date of closing of the account 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 Account Owner as his relative. Although the name of his 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 his father perished in the Second World War. In contrast, the Bank's records show that the Account Owner had a different fate. The CRT also notes that the Claimant did not identify the city and the second country of residence for the Account Owner, as set out in the Bank's records. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father 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
18 November 2004