

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Rita Hubbard
represented by David Hubbard

in re Accounts of Ludwig Levy

Claim Number: 217496/SB

This Certified Denial is based on the claim of Rita Hubbard, née Lövinson, (the “Claimant”) to the published accounts of Ludwig Levy (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 asserting that her maternal grandfather, Ludwig Levy, who was born on 4 October 1865 in Königs-Wusterhansen, Germany, and married Clara Isaack in 1889 in Berlin, Germany, owned a Swiss bank account. The Claimant stated that her grandfather, who was Jewish, was a textile manufacturer and that he resided in Spremberg, Germany, where he owned textile factories, and in Berlin. The Claimant further stated that her grandfather died on 15 September 1921 in Jannowitz, Germany and that his wife fled Germany in 1939. The Claimant indicated that she was born on 10 July 1919 in Frankfurt (a.d. Oder), Germany.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Ludwig 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 two accounts whose owner’s name matches 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.

Accounts 1012716 and 1012717

The Bank's records indicate that the Account Owner was Ludwig Levy, who resided in Germany. The Bank's records also indicate the Account Owner's profession, title and city 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 for the purposes of this Denial 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 grandfather 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 grandfather died in 1921. In contrast, the Bank's records show that the accounts at issue were opened many years after the Claimant's grandfather's death. Moreover, the CRT notes that the Claimant stated that her grandfather was a textile manufacturer and that he resided in Berlin and Spremberg, Germany, whereas the Bank's records show that the Account Owner had a different profession, that he resided in a city, which is over 450 kilometers from either Berlin or Spremberg, and that he held a title, which was not identified by the Claimant. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandfather 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 her relative. All decisions are published upon release on the CRT's website at 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
3 March 2006