

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

**in re Accounts of Roger Levy  
and  
Roger Levy-Finger<sup>1</sup>**

Claim Number: 215010/PY/MG

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published accounts of Roger Levy. This Denial is to the published accounts of Roger Levy (“Account Owner 1”) at the [REDACTED] (“Bank 1”), and to the published account of Roger Levy-Finger (“Account Owner 2”) at the [REDACTED] (“Bank 2”).

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 owners, and the banks have been redacted.

### **Information Provided by the Claimant**

The Claimant submitted a Claim Form asserting that his father, Roger Emanuel Lévy, who was born on 10 January 1893 in Toul, France, owned a Swiss bank account. The Claimant stated that his father’s first marriage was to [REDACTED], née [REDACTED], on 24 January 1921 in Paris, France, his second marriage was to the Claimant’s mother, [REDACTED], née [REDACTED], on 27 September 1944 in Paris; and his last marriage was to [REDACTED], née [REDACTED], on 3 September 1948, also in Paris. The Claimant stated that his father, who was Jewish, resided before the Second World War in the Alsace-Lorraine region of France, and also in Paris. The Claimant stated further that his father was the director of the company *Chaussures André*. According to the Claimant, his father was interned in Drancy during the Second World War. The Claimant stated that his father died on 19 June 1951 in Neuilly sur Seine, France. The Claimant indicated that he was born on 10 September 1941 in Paris.

The Claimant submitted documents in support of his application, including: (1) an extract of his father’s birth certificate, which indicates that he was born in Toul, and on which it is noted that

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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.

he was married three times, to [REDACTED], [REDACTED], and [REDACTED]; and (2) his parents' marriage certificate, which indicate that the Claimant's father resided in Paris.

### **Information Available in the Banks' Records**

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Roger Emanuel Lévy. 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 three accounts whose owners' names match that provided by the Claimant. Each account is identified below by its Account Identification Number.

#### Accounts 5032839 and 5032840

Bank 1's records indicate that Account Owner 1 was Roger Levy, who resided in Colmar, France. Bank 1's records also indicate Account Owner 1's street address, the name and maiden name of his spouse, and the fact that he had a child. In addition, Bank 1's records indicate the name of a person who held the accounts jointly with Account Owner 1, and the relationship between that person and Account Owner 1. Bank 1's records further indicate the fate of Account Owner 1 during the Second World War, as well as that of the joint account owner. Furthermore, Bank 1's indicate the dates of opening of the accounts at issue.

#### Account 4019996

Bank 2's records indicate that Account Owner 2 was Roger Levy-Finger, who resided in Paris, France, and that the Power of Attorney Holder was Claude Levy-Finger. Bank 2's records also indicate Account Owner 2's street address. Furthermore, Bank 2'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 Owners

As for Accounts 5032839 and 5032840, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his father 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 Bank 1's records. Specifically, the Claimant stated that his father was married to [REDACTED], née [REDACTED]; [REDACTED], née [REDACTED]; and [REDACTED], née [REDACTED]. In contrast, Bank

1's records show that Account Owner 1 was married to someone else. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's father are the same person.

As for Account 4019996, the CRT likewise concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his father is substantially similar to the published name of Account Owner 2, the information provided by the Claimant differs materially from the published information about Account Owner 2 available in Bank 2's records. The Claimant did not establish any connection to the name "Finger." Furthermore, the Claimant did not identify the Power of Attorney Holder, despite the fact that her name was published together with the name of Account Owner 2, and despite the fact that she shares the same last name as Account Owner 2. Consequently, the CRT is unable to conclude that Account Owner 2 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  
19 November 2004