

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Bruno Lewin

Claim Numbers: 221325/WM^{1,2}

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published account of Bruno Lewin (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 paternal grandfather, Bruno David Lewin, who was born on 8 April 1890 in Labischin, Poland, and was married to [REDACTED], née [REDACTED], on 9 January 1915 in Berlin, Germany, owned a Swiss bank account. The Claimant stated that his grandfather, who was Jewish, owned and operated a steel manufacturing business in Berlin, where he resided until 1938, when he and his immediate family fled to the United States. The Claimant explained that his grandfather passed away on 7 February 1971 in Stamford, Connecticut, the United States. The Claimant indicated that he was born on 19 January 1943 in Stamford.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Bruno David Lewin. 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

¹ The Claimant submitted a claim, numbered B-00864, on 13 April 1998, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 600744. The CRT treated this claim in a separate determination.

² 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 221325.

Identification Number, which is a number assigned to the account by the ICEP auditors for tracking purposes.

Account 1012423

The Bank's records indicate that the Account Owner was Bruno Lewin, who resided in Germany. The Bank's records also indicate the Account Owner's city of residence and the date of opening 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 the Account Owner as his relative. Although the name of his 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 his grandfather resided in Berlin until 1938, when he and his immediate family fled to the United States. In contrast, the Bank's records indicate that the Account Owner resided in another city, which is over 550 kilometers from Berlin, which was not identified by the Claimant, and to which the Claimant did not establish any connection. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandfather 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 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 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
3 March 2006