

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Dmitrijus Kopelmanas

in re Account of *Lietuvos Komercijos Bankas*

Claim Number: 215936/WM

This Certified Denial is based upon the claim of Dmitrijus Kopelmanas (the “Claimant”) to the accounts of Moses (Moisejus) Kopelmanas (Koppelman), Dr. L. (Nikalojus) Soloveicikas (Soloweitschik), *Lietuvos Lloydas* and *Lietuvos Komercinis Bankas*.¹ This Denial is to the published account of *Lietuvos Komercijos Bankas* (the “Account Owner”) at the [REDACTED] (the “Bank”).²

All awards 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 identifying the Account Owner as the bank *Lietuvos Komercinis Bankas*, which was located in Kaunas, Lithuania. The Claimant indicated that the company of his father, Moses Kopelmanas, who was born in 1895, and was married to Eugenia Kopelmanas, née Gidoni, shared a professional relationship with the Account Owner. The Claimant indicated that his father, who was Jewish, was a managing director of *Lietuvos Lloydas*, a Lithuanian insurance company, and that *Lietuvos Lloydas* and *Lietuvos Komercinis Bankas* shared close professional ties because *Lietuvos Komercinis Bankas* deposited money in Switzerland on behalf of *Lietuvos Lloydas* and a managing director of *Lietuvos Komercinis Bankas*, Dr. L. Soloveicikas, was also a member of the board of *Lietuvos Lloydas*. The Claimant indicated that he and his parents were interned in the Kaunas ghetto from 1941 until 1944, and that his father perished in a camp in 1945. The Claimant indicated that he was born in Smalininkai, Lithuania.

¹ The CRT will treat the claims to the accounts of Moses (Moisejus) Kopelmanas (Koppelman), Dr. L. (Nikalojus) Soloveicikas (Soloweitschik), and *Lietuvos Lloydas* in separate determinations.

² The CRT did not locate an account belonging to *Lietuvos Komercinis Bankas* in the Account History Database prepared pursuant to the investigation of the Independent Committee of Eminent Persons (“ICEP” or “ICEP Investigation”), which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules Governing the Claims Resolution Process, as amended (the “Rules”).

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to Swiss bank accounts owned by Moses (Moisejus) Kopelmanas and *Lietuvos Lloydas*.³

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to *Lietuvos Komercinis Bankas*. 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 5029817

The Bank's records consist of a list of dormant accounts and a printout from the Bank's database. According to these records, the Account Owner was *Lietuvos Komercijos Bankas*, located in Kaunas, Lithuania.

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 Claimant has plausibly identified the Account Owner. The name and place of business provided by the Claimant substantially match the published name and place of business of the Account Owner. The CRT notes that there are no other claims to this account.

The Claimant's Relationship to the Account Owner

The Claimant has not plausibly demonstrated that he is related to the Account Owner, its owners, or its beneficiaries. The CRT notes that the Claimant indicated that his father's company had a professional relationship with the Account Owner, but the Claimant did not indicate that his father was related to the Account Owner, nor did he indicate that his father had an ownership interest in the Account Owner, or that he was a beneficiary of the Account Owner. In the absence of a familial relationship between the Claimant and the Account Owner, or a will or

³ As noted above, the CRT will treat the claims to the accounts of Moses (Moisejus) Kopelmanas (Koppelman) and *Lietuvos Lloydas* in separate determinations.

testamentary documents indicating that the Claimant is a beneficiary of the Account Owner, the Claimant is not entitled to the Account Owner's account.

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
29 December 2005