

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Josef Löwy

Claim Number: 400674/SB¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published account of Josef Löwy (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 in 2005 asserting that his maternal grandfather, [REDACTED] owned a Swiss bank account. The Claimant stated that his grandfather, who was Jewish, was a grain merchant who resided in Aszod and Ersekujvar, Hungary. The Claimant further stated that his grandfather was deported to Auschwitz, where he perished in June 1944. The Claimant stated that he was born on 23 November 1923, in Czechoslovakia.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, [REDACTED]. The CRT further notes that the auditors who carried out the investigation of this bank to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons (“ICEP” or the “ICEP Investigation”) did not report an account belonging to Josef Löwy during their investigation of the Bank. The documents evidencing an account belonging to Josef Löwy were obtained from archival sources in Europe during the course of the ICEP Investigation. The account is identified below by its Account Identification Number, which is a number assigned to the account for tracking purposes.

¹ The Claimant submitted an additional claim, which is registered under the Claim Number 204398. The CRT has denied this claim in a separate determination. See *In re Account of [REDACTED]*, which the Court approved on 13 October 2004.

Account 6002360

The Bank's records indicate that the Account Owner was Josef Löwy. The Bank's records also indicate the Account Owner's date of birth, professional or academic title, occupation, street address, city and country of residence and the name of his spouse. Finally, the Bank's records contain the Account Owner's signature.

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 Aszod and Ersekujvar, Hungary. In contrast, the Bank's records show that the Account Owner resided in another city and country, which the Claimant did not identify. The CRT also notes that the Claimant did not identify the Account Owner's spouse, nor did the Claimant indicate that his father possessed a professional or academic title, whereas the Account Owner had such a title. 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, 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 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
23 January 2006