

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Albert Lubig

Claim Number: 211623/SB¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published account of Albert Lubig (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 and an Initial Questionnaire (“IQ”),² asserting that his paternal grandfather, Albert (Aron, Alex, Alfred, Ron) Lubig (Lioubitch, Lubich, Lubic, Lubis, Lubarsch, Labat),³ who was born between 1875 and 1885, and was married to [REDACTED], owned a Swiss bank account. The Claimant stated in his IQ that his grandfather, who was Jewish, was a veterinarian, and that from 1924 to 1939 his grandfather resided in Seged, Hungary. According to the Claimant the family received their last correspondence from his grandfather in 1939 and it is presumed that his grandfather perished in either Germany or Hungary during the Second World War. The Claimant indicated that he was born on 6 March 1928 in Gomel, the USSR (today Belarus).

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Albert Lubig. The auditors who carried out the investigation to identify accounts of Victims of

¹ 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 211623.

² In the Initial Questionnaire, the Claimant asserted his entitlement to a Swiss bank account owned by his grandfather, Aron Lioubitch.

³ The CRT did not locate an account belonging to Aron (Alex, Alfred, Ron) Lubig (Lioubitch, Lubich, Lubic, Lubis, Lubarsch, Labat) or to Albert Lioubitch (Lubich, Lubic, Lubis, Lubarsch, Labat) 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”).

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 4021539

The Bank’s records indicate that the Account Owner was Albert Lubig, who resided in Hamburg, Germany.

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 one of the alternative name spellings of his grandfather matches the published name of the Account Owner, the information provided by the Claimant differs materially from the published information about the Account Owner available in the Bank’s records. Specifically, the Claimant stated that his grandfather resided in Seged, Hungary. In contrast, the Bank’s records show that the Account Owner resided in Hamburg, Germany. The CRT also notes that the Claimant did not provide any documentary evidence that his grandfather used the alternative name spelling of Albert Lubig. 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