

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

Claimed Account Owners: Emil Lustig and Josef Lustig¹

Claim Number: 401786/SU

This Certified Denial is to the claim of Helena Nolova (the “Claimant”) to a Swiss bank account published on the list of account owners in 2005 and potentially owned by the Claimant’s relatives, Emil Lustig and Josef Lustig (the “Claimed Account Owners”).

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 stating that Emil Lustig, who was Jewish, resided in Prague, Czechoslovakia (now the Czech Republic), and opened an account on behalf of Josef Lustig. The Claimant stated that Josef Lustig, who was also Jewish, resided in Hudlice, Czechoslovakia (now the Czech Republic), and Prague and was a glove manufacturer.

The CRT’s Investigation

The CRT matched the names of Emil Lustig and Josef Lustig to the names of all account owners in the Account History Database and identified accounts belonging to individuals whose names match, or are substantially similar to, the name of the Claimed Account Owners. In doing so, the CRT used advanced name matching systems and computer programs, and considered variations of names, including name variations provided by Yad Vashem, The Holocaust Martyrs’ and Heroes’ Remembrance Authority, in Jerusalem, Israel, to ensure that all possible name matches were identified. However, a close review of the relevant bank records indicated that the information contained therein was inconsistent with the information the Claimant provided regarding the Claimed Account Owners. Accordingly, the CRT was unable to conclude that any of these accounts belonged to the Claimed Account Owners.

¹ The Claimant should note that this determination relates only to the Claim Number and Claimed Account Owners stated above, and that the CRT is aware that the Claimant may have submitted other claims.

The CRT's Analysis

Identification of the Account Owners

The list below contains names of account owners that match the names of the Claimed Account Owners and the reasons why the CRT has concluded that the Claimed Account Owners and an account owner are not the same person. If an account owner's place of residence was published, that place of residence is also listed.

Name: Emil Lustig

Account Identification Numbers: 6001861

Specifically, the Claimant stated that her relative, Emil Lustig, resided in Prague, Czechoslovakia. In contrast, the records show that the account owner resided in a different city in Czechoslovakia, which is over 120 kilometers from Prague. The CRT notes that Prague is a major urban center, whereas the account owner's city of residence is a small town, making it unlikely that a person who resided in Prague would identify the account owner's city as his/her city of residence, even for the purposes of maintaining a Swiss bank account. Furthermore, the CRT notes that the account owner held a professional title that the Claimant did not identify. Finally, the Claimant stated that her relative, Emikl Lustig, held the account on behalf of Josef Lustig. In contrast, the bank records do not indicate that the account was held for the benefit of another party.

Name: Josef Lustig

Account Identification Numbers: 4020014, 4020015

Specifically, the Claimant stated that her relative, Josef Lustig, resided in Hudlice and Prague, Czechoslovakia. In contrast, the records show that the account owner resided in a different country.

The Claimant should note that all accounts awarded by the CRT are published upon release on the CRT's website at www.crt-ii.org.

Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"), the Claimant may appeal this decision or submit a request for reconsideration within ninety (90) days of the date of the letter accompanying this decision.

An appeal must be based upon a plausible suggestion of error regarding the CRT's conclusions set out in this decision. Any appeals which are submitted without a plausible suggestion of error shall be summarily denied. A request for reconsideration must be based on new documentary evidence not previously presented to the CRT that, if considered, would have led to a different outcome of the claim. Claimants should briefly explain the relevance of the newly submitted documents in view of the conclusions stated in the certified decision.

The Claimant should send appeals and/or requests for reconsideration in writing to the following address: Oren Wiener, Claims Resolution Tribunal, Attention: Appeals / Request for

Reconsideration, P.O. Box 9564, 8036 Zurich, Switzerland. If more than one account has been treated in this decision, the Claimant should identify the account, including, where available, the Account Identification Number, that forms the basis of the appeal and/or request for reconsideration.

Scope of the Denial

The CRT now considers the Claimant's claim to the accounts of Emil Lustig and Josef Lustig closed. Please note that this decision applies only to the Claim Number and Claimed Account Owners identified herein, and that the CRT is aware that the Claimant may have claimed accounts held by other persons or entities both in the Claim Number specified above and in other claims submitted to the CRT.

Certification of the Denial

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal
30 May 2007