

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Richard Ram

Claim Number: 004356/MG¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the accounts of Richard Ram, Yehoshua Scheffler and Josef Jacob Rabach.² The CRT did not locate an account belonging to Yehoshua Scheffler or Josef Jacob Rabach 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”). This Denial is to the published account of Richard Ram (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 relative, Richard Ram, owned a Swiss bank account. The Claimant stated that Richard Ram’s father, [REDACTED], was the brother of the Claimant’s grandmother, [REDACTED], née [REDACTED]. The Claimant stated that the Ram family was Jewish, and that the family originated from Galicia, Poland. The Claimant further stated that the Ram family was wealthy and that several family members, including Richard Ram, fled to Australia to escape Nazi persecution. In a telephone conversation with the CRT on 9 July 2003, the Claimant could not recall that the Ram family had connections to European countries other than Poland. The Claimant indicated that he was born on 17 May 1938 in Sanok, Poland.

The Claimant previously submitted an Initial Questionnaire (“IQ”) with the Court in 1999, asserting his entitlement to a Swiss bank account owned by Yehoshua Scheffler.

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 004356.

² In this claim, the Claimant also claimed the account of Bernhard Scheffler. The CRT will treat the claim to this account in a separate decision.

The Claimant submitted documents in support of his application, including: (1) his parents' registration certificates, issued on 1 October 1947 by the Polish Embassy in Rome, Italy; (2) a similar registration certificate of his grandmother's sister, [REDACTED]; and (3) family photographs.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Richard Ram. The auditors who carried out 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 1010837

The Bank's records indicate that the Account Owner was Richard Ram, who resided in Austria. The Bank's records also indicate the Account Owner's two additional cities and countries of residence. Furthermore, the Bank's records indicate the dates of opening and closing 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.

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 relative matches the published name of the Account Owner, the information provided by the Claimant differs materially from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that his relative fled from Galicia, Poland, to Australia. In contrast, the Bank's records show that the Account Owner resided in Austria and in two other countries, none of which was identified by the Claimant as a possible place of residence of his relative. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's relative 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 the Special Master, c/o Claims Resolution Tribunal, P.O. Box 9564, 8036 Zurich, Switzerland.

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
10 December 2004