

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]
represented by Elisheva Ansbacher

in re Accounts of Fritz Taussig

Claim Number: 401514/MG

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the account of Fritz (Friedrich) Taussig (Tausik).¹ This Denial is to the published accounts of two individuals named Fritz Taussig (“Account Owner 1” and “Account Owner 2”) at the [REDACTED] (“Bank 1”) and at the [REDACTED] (“Bank 2”).²

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 her husband, Fritz Taussig, who was born on 31 August 1908 in Vienna, Austria, and married her in 1936 in Vienna, owned a Swiss bank account. The Claimant stated that her husband, who was Jewish, was a lawyer who resided in Vienna until 1939, when he fled from Austria to Brussels, Belgium. According to the Claimant, her husband was deported to a concentration camp, where he perished in 1943. The Claimant indicated that she was born on 26 August 1909 in Vienna.

The Claimant submitted documents in support of her claim, including a copy of her husband’s birth certificate, which indicates that he was born on 31 August 1908 in Vienna.

¹ The CRT did not locate an account belonging to Friedrich Taussig (Tausik) 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”).

² The CRT notes that on the February 2001 published list of accounts determined by the ICEP to be probably or possibly those of Victims of Nazi Persecution (the “ICEP List”) and on the List of Account Owners Published in 2005 (the “2005 List”), the name Fritz Taussig appears three times. Upon reviewing the banks’ records the CRT has determined that the Fritz Taussig of Vienna, Austria in the ICEP list is the same person as the Fritz Taussig indicated in the 2005 list and that he owned a total of three accounts.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Fritz Taussig. 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 four accounts whose owners' names match that provided by the Claimant. Each 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 1013372

Bank 1's records indicate that Account Owner 1 was Fritz Taussig, who resided in Germany. Bank 1's records also indicate Account Owner 1's title, city of residence and the date of closing of the account at issue.

Accounts 5025688, 5029763 and 5033626

Bank 2's records indicate that Account Owner 2 was Fritz Taussig, who resided in Vienna, Austria. Bank 2's records also indicate Account Owner 2's title, street address, and the dates of opening of one account at issue, and closing of two accounts at issue.

Information Available from the Austrian State Archive

By decree on 26 April 1938, the Nazi Regime required all Jews who resided within the Reich, or who were nationals of the Reich, including Austria, and who held assets above a specified level to register all their assets as of 27 April 1938 (the "1938 Census"). In the records of the Austrian State Archive (Archive of the Republic, Finance), there are documents concerning the assets of Fritz Taussig. These documents indicate, among other information, Fritz Taussig's street address, city and country of residence, date of birth and the name of his spouse. The CRT concludes from information contained in Bank 2's records that Account Owner 2 and Fritz Taussig identified in the 1938 Census records are the same person.

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 Owners

As for Account 1013372, the CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Although the name of her husband matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the

published information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant stated that her husband resided in Vienna, Austria, until 1939, when he fled to Belgium. In contrast, Bank 1's records show that Account Owner 1 resided in a city in Germany. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's husband are the same person.

As for Accounts 5025688, 5029763 and 5033626, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the name of her husband matches the published name of Account Owner 2, the information provided by the Claimant differs materially from information about Account Owner 2 available in the 1938 Census records. Specifically, the Claimant stated that her husband was born on 31 August 1908. In contrast, Bank 2's records, together with the 1938 Census records, show that Account Owner 2 was born many years earlier and was married to a different person. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's husband 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 her 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
9 November 2006