

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED 1]
also acting on behalf of [REDACTED 2]

in re Account of Josef Taussig and Account of A. Taussig

Claim Numbers: 400759/OW; 400760/OW; 600801/OW^{1,2}

This Certified Denial is based on the claims of [REDACTED 1] (the “Claimant”) to accounts of Joseph Taussig, Adolf Taussig and Arthur Taussig. This Denial is to the published account of Josef Taussig (“Account Owner 1”) at the [REDACTED] (“Bank 1”) and to the published account of A. Taussig (“Account Owner 2”) held at an unknown bank (“Bank 2”).^{3,4}

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 owners, and the banks have been redacted.

Information Provided by the Claimant

The Claimant submitted a claim to the Holocaust Claims Processing Office (“HCPO”) and Claim Forms in 2005, asserting that her great-grandfather, Joseph Taussig, her great-uncle, Arthur Taussig, and her great-uncle's cousin, Adolf Taussig, owned Swiss bank accounts. According to the Claimant, Joseph Taussig was married to [REDACTED], née [REDACTED], with whom he

¹ The Claimant submitted a claim, numbered B-01299, on 14 September 1998, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 600801.

² According to Article 37 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the three claims of the Claimant in one proceeding.

³ The CRT did not locate accounts belonging to Joseph Taussig, Adolf Taussig or Arthur Taussig 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.

⁴ In this claim, the Claimant also claimed the accounts of Julie Taussigova, Jaromir Taussig, Marietta Taussig, Julius Taussig, Rudolph Taussig, Hansi Taussig, Johann Taussig, Anna Taussig, Vladimir George Taussig, Max Taussig, and the business, Jiri Schicht, Inc. The CRT will treat the claims to these accounts in separate determinations.

had four children, including [REDACTED], who was born in 1875. The Claimant stated that [REDACTED] was married to [REDACTED], née [REDACTED], and that he died in 1943. The Claimant also stated that [REDACTED] was never married. In addition, the Claimant stated that her relatives, who were Jewish, resided in Czechoslovakia (today the Czech Republic). Furthermore, the Claimant stated that members of the immediate and extended Taussig family were landowners and businessmen who owned a brewery, farms, forests, sawmills, land, factories and real property in Prague, Czechoslovakia, and in the northern areas of Czechoslovakia. The Claimant did not provide any additional information regarding Joseph, [REDACTED] and [REDACTED], but indicated that Joseph Taussig's daughter-in-law and two of his grandchildren were killed by the Nazis. The Claimant indicated that she was born on 26 February 1955 in New York, New York, the United States. The Claimant is representing her sister, [REDACTED 2], who was born on 5 May 1959, also in New York.

The Claimant previously submitted three Initial Questionnaires with the Court in 1999, asserting her entitlement to Swiss bank accounts owned by Hansi Taussig, Johann Taussig, and Anna Taussig.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted claims to accounts belonging to her relatives, Joseph, Adolf and Arthur 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 one account whose owner's name matches those provided by the Claimant. In addition, documents were obtained from the Swiss Federal Archive in Bern, Switzerland that pertain to accounts reported in a survey conducted pursuant to Swiss Federal legislation requiring the registration of assets dormant since 9 May 1945 held in Switzerland by foreigners or stateless persons known or presumed to have been victims of racial, religious or political persecution (the "1962 Survey"). These documents evidence an account belonging to A. Taussig. Each account is identified below by its Account Identification Number, which is a number assigned to the account for tracking purposes.

Account 4022241

Bank 1's records indicate that Account Owner 1 was Josef Taussig, who resided in Romania. In addition, Bank 1's records indicate Account Owner 1's city of residence.

Account 6002178

Bank 2's records indicate that Account Owner 2 was A. Taussig. Bank 2's records also indicate Account Owner 2's full first name.

The CRT's Analysis

Admissibility of the Claims

The CRT has determined that, for purposes of issuing this Certified Denial, the claims are 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 4022241, the CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Although the name of her great-grandfather 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 great-grandfather resided in Czechoslovakia. In contrast, Bank 1's records show that Account Owner 1 resided in Romania. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's great-grandfather are the same person. Moreover, it should be noted that the CRT has awarded the account to another claimant, who plausibly identified Account Owner 1 as her relative. All decisions are published upon release on the CRT's website at www.crt-ii.org.

As for Account 6002178, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the first initials and last names of the Claimant's relatives, [REDACTED] and [REDACTED], match the published name of Account Owner 2, the information provided by the Claimant differs materially from the unpublished information about Account Owner 2 available in Bank 2's records. Specifically, the Claimant stated that her relatives' first names were [REDACTED] and [REDACTED]. In contrast, Bank 2's records show that Account Owner 2 had a different first name. Consequently, the CRT is unable to conclude that Account Owner 2 and either of the Claimant's relatives 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 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 her claims 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
21 September 2005