

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimants [REDACTED 1],

[REDACTED 2]

and [REDACTED 3]

## **in re Account of Abraham Ber. Katz**

Claim Number: 600015/WM<sup>1,2</sup>

This Certified Denial is based on the claims of [REDACTED 1] (“Claimant [REDACTED 1]”), [REDACTED 2] (“Claimant [REDACTED 2]”), and [REDACTED 3] (“Claimant [REDACTED 3]”) (together the “Claimants”) to an account of Abraham (Abram, Avrum) Catz (Katz).<sup>3</sup> This Denial is to the published account of Abraham Ber. Katz (the “Account Owner”) at the [REDACTED] (the “Bank”).

All denials are published, but where claimants have requested confidentiality, as in this case, the names of the claimants, any relatives of the claimants other than the account owner, and the bank have been redacted.

## **Information Provided by the Claimants**

The Claimants submitted a claim to the Holocaust Claims Processing Office (“HCPO”) in 1998, asserting that their paternal uncle, Abraham Katz, who was born on 21 October 1892 in Kishinev, Russia, (Romania from 1918 to 1940, today the Republic of Moldova), and was

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<sup>1</sup> The Claimants submitted a claim, numbered B-01368, on 15 October 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 600015.

<sup>2</sup> [REDACTED 1] did not submit a Claim Form to the Claims Resolution Tribunal. However, in 1999 she submitted an Initial Questionnaire (“IQ”), numbered ENG-0247-138, to the Court in the United States. Although this IQ was not a Claim Form, the Court, in an Order signed on 30 July 2001, ordered that those IQs which can be processed as claim forms be treated as timely claims. Order Concerning Use of Initial Questionnaire Responses as Claim Forms in the Claims Resolution Process for Deposited Assets (July 30, 2001). The IQ was forwarded to the CRT and the CRT is treating the HCPO claim and the IQ under the consolidated Claim Number 600015.

<sup>3</sup> The CRT did not locate an account belonging to Abraham (Abram, Avrum) Catz or, Abram (Avrum) Katz, 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”).

married to [REDACTED], owned a Swiss bank account. The Claimants indicated that their uncle, who was Jewish, owned a jewelry business and had resided in Kishinev until approximately 1943 or 1944, when he was murdered by the Nazis. Claimant [REDACTED 1] indicated that she was born on 12 December 1925 in Paris, France. Claimant [REDACTED 2] indicated that he was born on 2 August 1922 in Kishinev. Claimant [REDACTED 3] indicated that he was born on 5 January 1920 in Kishinev.

In support of their claim, the Claimants submitted a translated copy of their uncle's birth certificate from the Republic of Moldova's National Archives, dated 30 May 1997, which indicates that Abram-Leib Borisovich Katz (Catz) was born on 21 October 1892 in Kishinev.

### **Information Available in the Bank's Records**

The CRT notes that the Claimants submitted a claim to an account belonging to their relative, Abraham Leib Catz. 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 that provided by the Claimants. 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 5035022

The Bank's records indicate that the Account Owner was Abraham Ber. Katz, who resided in Vijnita, Romania (today the Ukraine). The Bank's records also indicate the date of opening 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 Governing the Claims Resolution Process, as amended (the "Rules").

#### Identification of the Account Owner

The CRT concludes that the Claimants have not identified the Account Owner as their relative. Although the name of their uncle matches the published name of the Account Owner, the information provided by the Claimants differs materially from the published information about the Account Owner available in the Bank's records. Specifically, the Claimants stated that their uncle resided in Kishinev. In contrast, the Bank's records indicate that the Account Owner resided in Vijnita, which is approximately 350 kilometers from Kishinev. The CRT notes that the Claimants' relative's city of residence, Kishinev, is a major city, and that the Account Owner's place of residence, Vijnita, is a small town, rendering it unlikely that the Claimants'

relative would indicate a different distant small town as his city of residence, including for purposes of maintaining a bank account. Consequently, the CRT is unable to conclude that the Account Owner and the Claimants' uncle are the same person. Moreover, it should be noted that the CRT has awarded the account to other claimants, who plausibly identified the Account Owner as their relative. All decisions are published upon release on the CRT's website at [www.crt-ii.org](http://www.crt-ii.org).

### Right of Appeal

Pursuant to Article 30 of the Rules, the Claimants 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 Claimants 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 Claimants 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 Claimants should be aware that the CRT will carry out further research on their claim to determine whether an award may be made based upon the information provided by the Claimants or upon information from other sources.

### **Certification of the Denial**

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal  
3 March 2006