

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

Claimed Account Owner: *Kux, Bloch & Co.*¹

Claim Numbers: 754603/RS

This Certified Denial is to the claim of [REDACTED] (the “Claimant”) to a Swiss bank account owned by *Kux, Bloch & Co.* (the “Account Owner”), which the Claimant claims was a company founded and owned in part by the Claimant’s relative, [REDACTED].

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 any banks have been redacted.

Information Provided by the Claimant

The Claimant submitted correspondence stating that his paternal grandfather’s cousin, [REDACTED], who was Jewish, was born on 31 December 1886 in Paris, France. The Claimant, who stated that he was born with the surname [REDACTED], indicated that [REDACTED] was a “medic” who was involved in the sale of medical equipment and medical insurance (see letter to the CRT from the Claimant [“Letter”] dated 1 February 2007). The Claimant also submitted a letter dated 24 November 1997 from the *Mémorial du Martyr Juif Inconnu* in France, indicating that according to archival research, [REDACTED], who was born on 31 December 1886 in Paris, was a doctor (*médecin*) by profession. The Claimant referred to his relative in some correspondence with the CRT as “Dr. [REDACTED]” (Letter dated 5 October 2006).

The Claimant stated that [REDACTED] moved from France to Vienna, Austria, in 1931, when he was invited by his Austrian relatives to become a “founder,” “investor,” and “co-owner” of the bank *Kux, Bloch & Co.* (“*Kux, Bloch*”) (Letters dated 1 February 2007, 11 October 2006, 20 February 2007, 1 June 2007). In at least four separate letters to the CRT, the Claimant indicated that [REDACTED] was a “founder” of *Kux, Bloch* (Letters dated 22 February 2005, 1 February 2007, 1 June 2007, 27 July 2007). The Claimant indicated that [REDACTED] moved into a house in Vienna that was owned by *Kux, Bloch* (Letter dated 5 October 2006). He also stated

¹ Claimant [REDACTED] (the “Claimant”) should note that this determination relates only to the Claim Numbers and Claimed Account Owner listed here, and that the CRT is aware that the Claimant may have submitted other claims.

that the bank “was held both in Austria and Switzerland” (Letter dated 5 October 2006). According to the Claimant, upon arriving in Vienna, [REDACTED] “took an active and immediate part in management and activity of the company” (Letter dated 5 October 2006). The Claimant also provided the street address of *Kux, Bloch* in Vienna, namely Zedlitzgasse 11, which, the Claimant stated, was not “openly published” anywhere (Letters dated 1 February 2007, 5 October 2006).

The Claimant stated that [REDACTED] held an ownership stake of over 20,000.00 Swiss Francs (“SF”) in *Kux, Bloch*. According to the Claimant, between 1935 and 1936, [REDACTED] obtained a line of credit at [REDACTED] in Switzerland, and transferred the value of the credit to a Swiss bank account² belonging to *Kux, Bloch* (Letter dated 5 October 2006). In another letter to the CRT, however, the Claimant indicated that [REDACTED] did not transfer that money to a Swiss bank account belonging to *Kux, Bloch*, but rather transferred that sum “directly to the Bank [*Kux, Bloch*] in Vienna” (Letter dated 20 February 2007).

The Claimant indicated that he was not certain, however, of the total value of [REDACTED]’s ownership stake in *Kux, Bloch* (Letter dated 5 October 2006).

The Claimant indicated that from 1932 onwards, [REDACTED] was “responsible for activity of the Bank in Switzerland and mainly stayed in Zurich” (Letters dated 20 February 2007, 5 October 2006). According to the Claimant, following the incorporation of Austria into the Reich in March 1938 (the “*Anschluss*”), the “financial activity [of *Kux, Bloch*] moved completely from Austria to Switzerland” (Letter dated 5 October 2006). The Claimant also stated that after the *Anschluss*, the co-owners of *Kux, Bloch* left Austria and dispersed to different countries (Letter dated 5 October 2006). The Claimant indicated that [REDACTED] was not granted resident status in Switzerland, and was ordered to leave Switzerland; consequently, he returned to France (Letter dated 5 October 2006).

The Claimant stated that after [REDACTED] returned to France, he was deported first to Drancy, and then to Auschwitz, where he perished. The Claimant submitted a copy of [REDACTED]’s birth certificate, which includes a notation indicating that [REDACTED] perished in Auschwitz on 10 August 1942.

The Claimant submitted copies of the entry regarding *Kux, Bloch* in the Vienna corporate registry. Those documents (which are further described below) indicate the significant changes in the ownership and legal status of the bank, and indicate that *Kux, Bloch* was first entered into the corporate registry on 25 April 1922. The corporate registry documents further indicate that as of 23 December 1938, *Kux, Bloch* was under “provisional administration” (*Kommissarische Verwaltung*). The Claimant himself noted that as of 24 January 1939, *Kux, Bloch* was placed in liquidation (Letter dated 27 July 2007).

In support of his claim, the Claimant submitted copies of a number of other documents. Included amongst those documents is a letter, translated from the original Ukrainian, from the “Department of Information and Foreign Relations, Main Archive Department, Cabinet of

² The Claimant did not indicate at which Swiss bank *Kux, Bloch & Co.* held the account to which [REDACTED] allegedly transferred 22,500.00 Swiss Francs.

Ministers of Ukraine,” and addressed to the Claimant. That letter, dated 22 December 1998, indicates that the Claimant’s grandfather, [REDACTED], was imprisoned in camps in the USSR for four years based upon charges of “connections with foreign spies and counter-revolutionary propaganda.” The Claimant did not provide the original Ukrainian version of this letter. According to the translated letter, the archival records indicate that [REDACTED] received letters in “a foreign language,” which were date stamped 1935 and 1936 and sent from Zurich, Switzerland, from the sender “[REDACTED]” [*sic*]; he also received two letters from “[REDACTED]” from Vienna, Austria, on which the logo of the “*Kux Julius* firm” appears (Letter dated 27 July 2007).

The CRT’s Investigation

The CRT matched the name of *Kux, Bloch & Co.* to the names of all account owners in the Account History Database and identified an account belonging to *Kux, Bloch & Co.* However, a close review of the relevant bank records, archival records, and publicly-available information regarding the Account Owner, indicated that the information contained therein is inconsistent with the information the Claimant provided. Accordingly, the CRT is unable to conclude that the Claimant’s relative [REDACTED] was entitled to that account.

Information Available Concerning the Account Owner

The CRT has located one account where an account owner’s name and country of operation matches the name and country of operation of the company which the Claimant indicated was partially founded by his relative. The list below contains details of the type of information held about an account owner. The account is identified by its Account Identification Number, which is a number assigned to an account for tracking purposes.

Account 5031050³

The records indicate that the account owner was Kux, Bloch & Co., which operated in Vienna, Austria.

Additional Information regarding the Account Owner

In addition to the information concerning the Account Owner that is available in the bank records described above, the CRT analyzed the information regarding the Account Owner that was provided by the Claimant, and also reviewed the publicly available Austrian Historians’ Commission work (*Veröffentlichungen der Österreichischen Historikerkommission*, Band 11) titled *Neuordnung in Bankwesen: Die NS-Massnahmen und die Problematik der Restitution*, by Peter Melichar (2004) (hereinafter “*Neuordnung in Bankwesen*”).

³ The CRT notes that this account was previously awarded by the CRT to claimants other than the Claimant. See *In re Account of Kux, Bloch & Co.* (approved 11 April 2005).

Information submitted by the Claimant regarding the Account Owner

a) *Vienna corporate registry entry for the Account Owner*

The Claimant submitted copies of the entry regarding *Kux, Bloch & Co.* in the Vienna corporate registry, which was certified by the Vienna Regional Court (*Amtsgericht Wien Registergericht*) on 13 July 1940. The first entry for the company is dated 25 April 1922. The *Kux, Bloch* entry in the corporate registry indicates the following changes in signing authority, ownership, and legal status of the bank. (The CRT notes that it includes below all extracts from the *Kux, Bloch* corporate registry entry submitted by the Claimant which include the name of an individual, whether investor, partner, founder, or liquidator.)

- 25 April 1922: Rudolf Bernard and Dr. Zacharias Graubart, both of Vienna, become joint authorized signers for the bank.
- 7 June 1922: *Bayerische Vereinsbank A.G.* becomes a limited partner in the bank with an investment of 75,000,000.00 Krone (“K”).
- 17 April 1923: Josef Theodor Salamon and Emil Kraus become personally liable partners in the bank.
- 15 April 1924: Alfons Hirsch becomes an authorized signer for the bank, when signing together with one of the other joint authorized signers.
- 30 August 1924: The original investments of 75,000,000.00 K by each of the following partners in the bank were increased by 3,000.00 Pound Sterling each: *Mendelsohn & Co.*, Berlin office; *Mendelsohn & Co.*, Amsterdam office; *Kleinwort, Sons & Co.*; and *Bayerische Vereinsbank*.
- 5 June 1925: Siegfried Ostwald becomes a personally liable partner in the bank.
- 5 May 1931: Dr. Fritz Wertheimer becomes one of the joint authorized signers for the bank.
- 25 June 1935: Paul Benjamin and Alfons Hirsch become sole authorized signers for the bank.
- 23 December 1938: The bank operates under the provisional administration of the *Wiener Giro-und Cassenverein*.
- 24 January 1939: *Kux, Bloch & Co.* enters into liquidation, and is henceforth known as “*Kux, Bloch & Co. in Liquidation*”.
- 13 November 1939: The company is dissolved (*hat sich aufgelöst*), and is in the liquidation (*Abwicklung*) phase. The company exists solely as a company in liquidation.

The individual liquidators are Adolf Kleisinger and Dr. Herbert Pfab, the latter of whom is subsequently replaced by Richard Lange.

- 10 July 1940: As a result of a Vienna court decision, the personally liable partners Dr. Victor Bloch and Emil Kux are dismissed from their roles in the company.

According to the copy of the *Kux, Bloch* corporate registry entry that the Claimant submitted, there are no entries dated after 10 July 1940.

b) *Other Austrian archival documents*

The Claimant also submitted correspondence from the years 1938 through 1940, which the Claimant indicated that he obtained from unnamed Austrian archives, including letters from the *Wiener Giro-und Cassen-Verein* (“*Wiener G.C.V.*”) Those letters indicate that *Kux, Bloch* was under the provisional administration of *Wiener G.C.V.* prior to the bank’s entry into liquidation. A letter dated 24 October 1940 from the *Wiener G.C.V.* to the Corporate Liquidation Branch of the Office in the Ministry for Economics and Labor charged with registering and administering Jewish-owned property (*Abwicklungsstelle der Vermögensverkehrsstelle*) in Vienna, indicates that the large financial institution *Mendelsohn & Co.* of both Berlin and Amsterdam was a significant investor in *Kux, Bloch*. That letter also indicates that in early 1939, the domestic business of *Kux, Bloch* was in large part wound up, and that employees had been released from their jobs. A partially obscured document, which is attached to a cover-note dated 30 September 1938, indicates that the *Wiener G.C.V.* guided *Kux, Bloch* into bankruptcy proceedings after inspecting its books.

The Claimant further submitted a *Kux, Bloch* balance sheet dated 27 March 1938 which contains an entry under the heading ‘Creditors’ stating “*Personalwährungskreditor [REDACTED] Zurich: in Fr. Schw. RM 96,211.00*”. The two-page balance sheet is also notable in that it is entitled “*Das Zwischengleichgewicht*”.

c) *Letter from Dr. Victor Bloch*

The Claimant submitted a copy of a letter which is dated 28 March 1938, and which contains the signature ‘Dr. Victor Bloch’, and a stamp stating ‘Dr. Victor Bloch’. The short letter, which is written in the German language, contains a salutation referring to a recipient named ‘[REDACTED]’. The letter is unique in that the quality of the German language of the author is very poor; the letter contains numerous grammatical and syntax errors, such that the letter is barely comprehensible to a German speaker. The letter is also unique in that the author signed the letter first with a typewritten ‘Viktor’ (*sic*), and then a full signature reading ‘Dr. Victor Bloch’. The author therefore appears to have used two different spellings of his own given name in the same letter.

d) *Letter from [REDACTED]*

The Claimant submitted a letter dated 9 March 2000 which he obtained in relation to proceedings held under CRT I. That letter contains information about an account held by an individual

named [REDACTED] at the [REDACTED]. The letter also indicates that in the years 1935 and 1936, [REDACTED] held a custody account which had a substantial credit line. The letter does not indicate individual transactions on the account held by [REDACTED], but merely annual balances, and the fact that the credit line existed.

e) *Samples of a handwritten notation*

The Claimant also submitted copies of a *Kux, Bloch* balance sheet from 31 October 1938, which he obtained from unnamed Austrian archives. On three pages of that balance sheet, an illegible handwritten word appears in the top corner; those words may or may not be the same words.

The Claimant also submitted a copy of a document obtained from French archives which indicates money deposited by [REDACTED] of Paris upon his detention in Drancy concentration camp. That document also contains two samples of an illegible handwritten word, which may or not be the same word.

Publicly-available information regarding the Account Owner reviewed by the CRT

a) *Neuordnung in Bankwesen*

The Austrian Historians' Commission's work *Neuordnung in Bankwesen* (full citation above) includes a section regarding *Kux, Bloch*, which is based largely on the Commission's research using archival documents. That work states that *Kux, Bloch* was founded as a limited partnership in 1922 in Berlin by Victor Bloch, Emil Kux, and Alfred Manovill. The Berlin and Amsterdam offices of the bank *Mendelsohn & Co.* were limited partners in *Kux, Bloch*, and London bank *Kleinworth, Sons & Co.* also held a stake in the bank. The work further indicates that personally liable partners in the bank were Josef Theodor Salomon, Emil Kraus, and Siegfried Ostwald, and that Dr. Victor Bloch and Emil Kux were also partners in the bank.

Neuordnung in Bankwesen indicates that *Kux, Bloch* had an operational address of Zedlitzgasse 11, Vienna I.

Neuordnung in Bankwesen also indicates that *Kux, Bloch* conducted limited business within Austria, and that the bank primarily managed and led Pound Sterling-denominated credit consortia, which were largely offered to debtors in Hungary.

The work also indicates that on 24 January 1939, *Kux, Bloch* entered into liquidation, and that on 10 July 1940, personally liable partners Victor Bloch and Emil Kux were eliminated from the corporate registry. The majority of the company's employees were dismissed. Nonetheless, the bank's business affairs could not be liquidated as rapidly as anticipated. In 1942, the company still had four employees in the bank's remaining office in Vienna. *Neuordnung in Bankwesen* indicates that ultimately, *Kux, Bloch's* liquidation continued following the Second World War, and the bank was not formally struck from the corporate registry until 14 May 1956.

The CRT's Analysis

Identification of the Account Owner

The CRT concludes that the Claimant has not identified the account owner *Kux, Bloch & Co.* as a bank owned by his relative. Although the surname of the Claimant's alleged relative [REDACTED] matches one of the names contained in the name of the account owner *Kux, Bloch*, the Claimant was unable to establish a plausible link between [REDACTED] and the bank. The CRT takes into consideration the passage of time, alternative spellings of names, and the circumstances of the Holocaust. Thus, in the absence of documents that can directly link a claimant to an account owner, the CRT also considers whether a claimant identified the claimed account owner's name prior to its publication as an account owner name. In this case, the claimed account owner is the bank *Kux, Bloch*. For example, if a claimant identified a person with the same name as the account owner in an Initial Questionnaire or ATAG Ernst & Young claim form filed with the Court in 1999 or earlier, prior to the publication of the 2001 or 2005 Lists, it is clear that the claimant based his/her claim not simply on the fact that an individual identified on the published lists as owning a Swiss bank account bore the same name as their relative, but rather on a direct family relationship that was known to them before the publication of the lists. It also indicates that a claimant had reason to believe that their relative owned a Swiss bank account prior to the publication of the lists. This supports the credibility of the information provided by that claimant. In this case, the Claimant did not identify the Account Owner's name in the ATAG Ernst & Young claim forms that he submitted.

Evidence Submitted by the Claimant

The CRT concludes that the information and documents submitted by the Claimant do not provide sufficient evidence to justify an amendment to the award of the account at issue.⁴

The CRT notes, first, that the Claimant indicated in four separate letters to the CRT that [REDACTED] was a "founder" as well as a co-owner of *Kux, Bloch*. The CRT notes, however, that none of the materials regarding *Kux, Bloch* that were analyzed by the CRT mention an individual named [REDACTED]. These materials, all of which are described above, include archival and corporate records submitted by the Claimant and publicly-available materials analyzed by the CRT. In particular, the CRT closely examined the Vienna corporate registry entry for *Kux, Bloch* that the Claimant submitted. As indicated above, the CRT examined every entry for references to the names of individuals associated in any capacity with *Kux, Bloch*. The corporate registry entry includes references to both corporate and individual partners and owner-investors of *Kux, Bloch*, as well as references to authorized signers of the bank. Nonetheless, the corporate registry entry, which spans the period from 1922 through 1940, contains no reference to an individual named [REDACTED]. The only individual with the surname Bloch referenced in the corporate registry is Dr. Victor Bloch.

The CRT also closely examined the Austrian Historians' Commission's work *Neuordnung in Bankwesen*, which, as indicated above, is based largely upon the Commission's research using

⁴ As indicated in footnote 3, the account at issue was previously awarded to claimants who established that they were the legitimate heirs of Dr. Victor Bloch, a founder of the account owner, *Kux, Bloch & Co.*

archival materials. That work indicates clearly that the three founders of *Kux, Bloch* were Victor Bloch, Emil Kux, and Alfred Manovill. *Neuordnung in Bankwesen* mentions several other partners in the bank, including renowned European banks *Mendelsohn & Co.* and *Kleinworth, Sons & Co.*, as well as personally liable partners Theodor Salomon, Emil Kraus, and Siegfried Ostwald. However, the study contains no reference to an individual named [REDACTED] in relation to *Kux, Bloch*.

The CRT further notes that *Neuordnung in Bankwesen* indicates that *Kux, Bloch* was founded in 1922, and the corporate registry supports this fact. The CRT notes that the first entry in the *Kux, Bloch* corporate registry entry is dated 25 April 1922. The CRT also notes that the Claimant indicated that [REDACTED] was invited by his Austrian relatives to become a co-owner of *Kux, Bloch* in 1931. As indicated above, in at least four letters to the CRT, the Claimant indicated that [REDACTED] was a “founder” of *Kux, Bloch*. The CRT notes that the term founder is defined as “a person who founds an institution”, and that the verb “found” is defined as to “establish”, “originate or initiate an institution.”⁵ The CRT concludes that an individual who entered the bank in 1931, when the company was founded in 1922, would not be considered a founder of that bank, and that it is therefore implausible that [REDACTED] was a founder of that bank.

The CRT further takes note of the letter from Dr. Victor Bloch dated 28 March 1938 which the Claimant submitted, and concludes that this letter is not a reliable piece of evidence linking the Claimant to the Account Owner or to [REDACTED]. The CRT notes that, as indicated above, the quality of the German language in which the letter is written is extremely poor; the letter is barely comprehensible. In contrast, the CRT received claims from the legitimate heirs of Dr. Victor Bloch, to whom the CRT awarded the account addressed in this decision. Those claimants included numerous samples of letters written by Dr. Victor Bloch, who, those claimants indicated, was a native of Vienna, Austria. All of those letters are written in excellent, fluent German. There is a vast difference in the quality of the language used in the letter submitted by the Claimant, versus the letters submitted by the claimants who are the legitimate heirs of Dr. Victor Bloch.

In addition, the CRT also notes and does not find it plausible that Dr. Victor Bloch would type his own name in the letter using the spelling ‘Viktor’, when the signature directly underneath that name uses the spelling ‘Victor’. Furthermore, the CRT also notes that the documents submitted by the claimants who are the heirs of Dr. Victor Bloch indicate that that name was spelled ‘Victor’ in all family documents. In sum, the CRT finds that the 28 March 1938 letter is not a reliable piece of evidence.

The Claimant submitted a copy of a *Kux, Bloch* balance sheet dated 27 March 1938. The document is notable in that it is entitled “*Das Zwischengleichgewicht.*” The CRT notes that this title is clearly a mistranslation of the English term ‘balance sheet.’ The German word ‘*Gleichgewicht*’ translates as ‘balance’ in the physical, equilibrium context, but is not used to indicate a financial balance sheet, for which the German term is ‘*die Bilanz.*’ The correct German term for an interim balance sheet should therefore be ‘*die Zwischenbilanz.*’

⁵ *The Concise Oxford Dictionary of Current English*, Ninth Edition.

The 27 March 1938 balance sheet further indicates under the heading ‘Creditors’: “*Personalwährungskreditor Rene G. Bloch Zurich: in Fr. Schw. RM 96,211.00.*” The CRT notes that a direct translation of the hybrid German word *Personalwährungskreditor* would be: “Personnel/Staff Currency Creditor.” The CRT notes that this hybrid term appears to be a mistranslation and that it is incomprehensible in the context of the balance sheet and in reference to [REDACTED]. The CRT concludes that these two mistranslations indicate that the copy of the balance sheet submitted by the Claimant cannot be used as reliable evidence.

The CRT also notes that the Claimant provided the operational address of *Kux, Bloch*, namely Zedlitzgasse 11, Vienna. The Claimant noted in correspondence with the CRT that the fact that he was providing this address to the CRT was “exclusive, for it is not specified in any open official documents, and this is one of serious evidences of rights for the account provided by the claimant” (Letter dated 5 October 2006). The CRT notes, however, that as indicated above, the address Zedlitzgasse 11 is provided in the very first sentence of the entry regarding *Kux, Bloch* in *Neuordnung in Bankwesen*, a work which, as also indicated above, is publicly available in both print format and online.

The CRT further notes that the Claimant indicated that [REDACTED] transferred a substantial sum of money, either directly or indirectly, to *Kux, Bloch*, and alleges that that sum constituted at least one part of his ownership stake in *Kux, Bloch*. As indicated above, in one letter to the CRT, the Claimant indicated that [REDACTED] obtained a line of credit from [REDACTED], and transferred the amount of the line of credit to a bank account in Switzerland belonging to *Kux, Bloch* (Letter dated 5 October 2006). In another letter to the CRT, however, the Claimant stated that [REDACTED] transferred that money “directly to the Bank [*Kux, Bloch*] in Vienna” (Letter dated 20 February 2007).

The CRT notes that the Claimant submitted a letter from the [REDACTED] which he obtained in relation to earlier CRT proceedings. That letter indicates the balances on an account held at that bank by an individual named [REDACTED] between the years 1932 and 1944. It also indicates that in 1935 and 1936, [REDACTED] held a custody account at that bank which had a substantial credit line. The letter also states that no further information regarding specific transactions on the account is available. The letter does not indicate that the full amount of the credit line was transferred to a second party. The CRT therefore concludes that the Claimant has not plausibly indicated that his relative [REDACTED] transferred money, either directly or indirectly, to *Kux, Bloch*.

The CRT further notes that the Claimant indicated that beginning in 1932, [REDACTED] worked “almost on monthly basis in Switzerland ... heading investment programmes of *Kux, Bloch*” (Letter dated 5 October 2006). The Claimant also stated that following the *Anschluss*, the financial activities of *Kux, Bloch* “moved completely from Austria to Switzerland”. (*Ibid.*) The CRT notes that there is no reference to *Kux, Bloch* having financial activities or investment “programs” in Switzerland in the corporate registry, the Austrian Historians’ Commission work *Neuordnung in Bankwesen*, or the other Austrian archive documents submitted by the Claimant. The work *Neuordnung in Bankwesen* does mention that *Kux, Bloch* had significant involvement with the Hungarian market, but does not mention any involvement with Switzerland. Furthermore, the CRT notes that in fact, all of the above materials indicate that following the

Nazi accession to power, *Kux, Bloch* was placed into liquidation in early 1939, and that all of the bank's financial activities, including those outside of Austria, entered the wind-up phase. The CRT also notes that the fact that all of *Kux, Bloch*'s financial activities were not moved to Switzerland is supported by the fact that the bank maintained a staff of four in Vienna throughout the Second World War.

The CRT notes that the Claimant submitted a letter from the Ukrainian archives, indicating that his grandfather received a letter from "[REDACTED]", on which the "*Kux Julius* firm" logo was visible. The CRT concludes that the Claimant has not plausibly indicated that the alleged "*Kux Julius*" company was in any way connected with *Kux, Bloch*. The CRT notes that the corporate registry and *Neuordnung in Bankwesen* mention only one individual associated with *Kux, Bloch* who had the surname Kux, namely Emil Kux; neither the corporate registry nor *Neuordnung in Bankwesen* mention an individual named Kux Julius (Julius Kux). Furthermore, the Claimant referred to a second banking company in Vienna which included the name 'Kux' in its title, namely *Brüder Kux*. As the Claimant himself indicates in correspondence with the CRT, the owners of that bank were Gustav Kux and Hugo Kux. In any event, the CRT notes that the entry regarding *Brüder Kux* in *Neuordnung in Bankwesen* does not indicate that that bank was in any way associated with *Kux, Bloch*. Consequently, the CRT concludes that any reference to a *Kux Julius* firm contained in letters from "[REDACTED]" to the Claimant's grandfather cannot be viewed as a connection between the Claimant's family and the bank *Kux, Bloch*.

The CRT also notes that the Claimant submitted copies of a *Kux, Bloch* balance sheet as of 31 October 1938. On three pages of that balance sheet, a handwritten word appears in the top right corner; those words are completely illegible, and it is not clear whether those words are in fact nouns, verbs, or signatures. The Claimant also submitted a copy of a document obtained from French archives regarding money deposited by Rene Georges Bloch upon his arrival in Drancy concentration camp on June and July 1942. That document also contains two handwritten words, which are also completely illegible. The Claimant states that the handwritten words which appear on the *Kux, Bloch* balance sheet, and the handwritten words that appear on the Drancy deposit document, are in fact signatures, and that the signatures are similar, and suggest some connection between [REDACTED] and *Kux, Bloch*. The CRT concludes that the handwritten words which appear on the balance sheet and on the Drancy deposit document are completely illegible; that it is plausible that the words are not in fact signatures; and that any alleged similarity between the handwritten words cannot plausibly be seen as evidence that [REDACTED] was associated with *Kux, Bloch*.

Finally, the CRT notes that the Claimant indicated that "Dr. [REDACTED]" was a "medic" and a medical doctor, who also sold medical equipment and medical insurance. The Claimant also submitted a letter from a French Jewish memorial organization indicating that [REDACTED] was a doctor. Nonetheless, the Claimant also stated that [REDACTED] was invited by his Austrian relatives to become a founder of *Kux, Bloch*, and that he took "an active and immediate part in management and activity of the company." The CRT notes that while it is not entirely implausible that a medical doctor or "medic", who also sold medical equipment and medical insurance, would be asked by a group of three founders of a new bank to act as a co-founder and participate in the management of that bank, the fact that [REDACTED] was a medical doctor

renders it less plausible that he would have been invited by the owners and founders of a bank to become a founder of that bank.

For all of the above reasons, the CRT concludes that the documents and information submitted by the Claimant do not provide the evidence to justify an amendment of its previous award of the account at issue.

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 account of *Kux, Bloch & Co.* closed. Please note that this decision applies only to the Claim Number and Claimed Account Owner 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
12 May 2009