

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Rachel Adler

Claim Number: 207516/AH¹

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to accounts of Eva Szabo, *Moskowitz Fleisch Bank*, Shabtay (or Shabse) Moskowitz (or Moshkowitz), and Ruchel (or Rachel) Moskovitz (or Moshkowitz), née Adler. The CRT did not locate an account belonging to Eva Szabo, *Moskowitz Fleisch Bank*, Shabtay or Shabse Moskowitz or Moshkowitz, and Ruchel or Rachel Moskovitz or Moshkowitz 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 Rachel Adler (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 her maternal grandmother, Ruchel (or Rachel) Moshkovitz (or Moskowitz), née Adler, owned a Swiss bank account. The Claimant stated that her grandmother was married to [REDACTED] in Hungary, before 1908, and resided and worked in Siget, Hungary. The Claimant stated that her grandmother, who was Jewish, perished in Auschwitz. The Claimant further indicated that she was born on 2 February 1951 in Hadera, Israel.

The Claimant submitted documents in support of her application including a copy of her mother’s death certificate, indicating that her grandmother’s maiden name was Rachel Adler.

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 207516.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Eva Szabo, *Moskowitz Fleisch Bank* and Shabtay Moskowitz.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her grandmother, Ruchel (or Rachel) Moshkovitz (or Moskowitz), née Adler. 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 5026526

The Bank's records indicate that the Account Owner was Rachel Adler, who resided in Frankfurt am Main, Germany, and that the Power of Attorney Holder was Leopold Adler. The Bank's records also contain the Account Owner's street address, title and marital status, and the Power of Attorney Holder's street address. Furthermore, the Bank's records indicate the dates of opening and closing of the account at issue. Finally, the Bank's records contain the Account Owner's and the Power of Attorney Holder's signatures.

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 Account Owner as her relative. Although the maiden name of her grandmother 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 Adler was her grandmother's maiden name, and that her grandmother was married prior to 1908. This information is inconsistent with information contained in the Bank's records regarding the Account Owner's marital status on the opening date of the account at issue. Furthermore, the Claimant stated that her grandmother resided in Hungary, whereas the Bank's records show that the Account Owner resided in Germany. In addition, the CRT notes that the Claimant did not identify the Power of Attorney Holder as her relative, although he shared the same last name as the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandmother 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 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
19 November 2004