

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Sandor Rado

Claim Number: 219177/MC

This Certified Denial is based upon the claim of [REDACTED] (the “Claimant”) to the published account of Sandor Rado (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 identifying the Account Owner as his father, Dr. Sandor (Alexander) Rado, who was born on 8 January 1890 in Kisvarda, Hungary, and was married to [REDACTED] on 1 December 1926 in Berlin, Germany. The Claimant explained that his father was married to [REDACTED] in 1915, and together they had one child, [REDACTED], who was born on 22 July 1917 in Budapest, Hungary. The Claimant stated that Sandor and [REDACTED] divorced in approximately 1920, and that in 1926 he married the Claimant’s mother, [REDACTED], who was originally from Switzerland. The Claimant stated that until 1932 his family resided at Illmenauerstrasse 552 in Berlin, where his father worked as a medical doctor and university professor. According to the Claimant, his father, who was Jewish, was invited to New York, New York as a lecturer in 1932, and the Claimant’s mother persuaded him to stay in the United States due to the political situation in Germany. The Claimant stated that his parents did not return to Germany for fear of Nazi persecution. The Claimant stated that his father’s sister and parents perished in Hungary during the Second World War. The Claimant stated that his mother and father both died in New York on 11 January 1961 and 14 May 1972, respectively.

In support of his claim, the Claimant submitted copies of documents, including: (1) a certified translation of a family record book, containing his parents’ marriage certificate and his birth certificate, which indicate that Sandor Rado was a doctor, that he married [REDACTED] on 1 December 1926 in Berlin, and that their child, [REDACTED] was born on 12 November 1928 in Berlin; (2) his father’s will, dated 23 March 1961 in New York, indicating that Dr Sandor Rado bequeathed his residual estate to his sons, [REDACTED] and [REDACTED]; and (3) his father’s

death certificate, issued on 17 May 1972, indicating that Sandor Rado died in 14 May 1972 in New York.

The Claimant indicated that he was born on 12 November 1928 in Berlin.

Information Available in the Bank's Record

The Bank's record consists of a customer card. According to this record, the Account Owner was Dr. Sandor Rado, who originally resided in Berlin-Grunewald. The customer card was updated to reflect that the account owner had moved to New York. The Bank's record indicates that the Account Owner held a demand deposit account, which was closed on 20 June 1938. The amount in the account on the date of its closure is unknown.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. The Claimant's father's name and country of residence match the published name and country of residence of the Account Owner. The Claimant identified the Account Owner's professional title and second country of residence, which matches unpublished information about the Account Owner contained in the Bank's record.

In support of his claim, the Claimant submitted documents, including a certified translation of a family record book, his father's will and his father's death certificate, providing independent verification that the person who is claimed to be the Account Owner had the same name and resided in the same towns recorded in the Bank's records as the name and cities of residence of the Account Owner.

The CRT notes that the other claims to this account were disconfirmed because those Claimants provided a different professional title and countries of residence than the professional title and countries of residence of the Account Owner.

Status of the Account Owner as a Victim of Nazi Persecution

The Claimant has made a plausible showing that the Account Owner was a Victim of Nazi Persecution. The Claimant stated that the Account Owner was Jewish, that he left Germany in 1932 and stayed in the United States due to the political situation in Germany, that he was unable to return from the United States to his home in Germany for fear of Nazi persecution. Furthermore, the Claimant stated that his father's parents and his father's sister perished during the Holocaust.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is related to the Account Owner by submitting specific information and documents, demonstrating that the Account Owner was the Claimant's father. These documents include a certified translation of a family record book and his father's will, which both indicate that [REDACTED] was the son of Sandor Rado.

The Issue of Who Received the Proceeds

The Bank's records indicate that the account was closed on 20 June 1938. Given that he Claimant stated that the Account Owner moved with his family to New York in 1932, that the Account Owner maintained the contact with the Bank and informed it about the change of his address, the CRT concludes that the Account Owner had access to his account at the time of its closure and received the proceeds of the account.

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.

Certification of the Denial

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal
30 August 2010