

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of S. Roessner¹

Claim Number: 214692/PY/AX

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to an account of Samuel Alexander Rozner. The CRT did not locate an account belonging to Samuel Alexander Rozner 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 S. Roessner (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 father, Samuel Alexander Rozner, who was born on 9 February 1904 in Streda nad Bodrogom, Czechoslovakia, owned a Swiss bank account. The Claimant stated that her father, who had been previously married, was married to the Claimant’s mother, [REDACTED], née [REDACTED], on 22 October 1947. The Claimant further stated that her father, who was Jewish, resided in Streda nad Bodrogom, where he was a butcher and the owner of a farm. According to the Claimant, in 1938 her father was imprisoned in Miskolc, Hungary, and was subsequently deported to a forced labor camp in the Ukraine. The Claimant stated that her father was interned in several concentration camps, including Mauthausen, between 1943 and 1945. The Claimant stated that her father died on 17 January 1982 in Kosice, Czechoslovakia. The Claimant indicated that she was born on 27 September 1946 in Streda nad Bodrogom.

¹ In an effort to locate any and all accounts that might have belonged to the Claimant’s relative, the CRT has reviewed and analyzed all accounts whose owners’ names are substantially similar to that of the Claimant’s relative, even if the Claimant did not specifically claim that particular account. Moreover, the CRT recognizes that, in many cases, spellings of names have changed due to the passage of time in the decades since the Second World War, as well as due to the transcription of names into different languages.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Samuel Alexander Rozner. The auditors who carried out the ICEP Investigation reported one account whose owner's name is substantially similar to 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 2015957

The Bank's records indicate that the Account Owner was S. Roessner, who resided in Munich, Germany. The Bank's records also indicate that the Account Owner was female. The Bank's records further indicate the name, country, and city of residence of another person with whom this account was jointly held, and who appears to be related to the Account Owner.

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 the Account Owner as her relative. Although the name of her father is substantially similar to 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 her father resided in Streda nad Bodrogom, Czechoslovakia. In contrast, the Bank's records show that the Account Owner was female and resided in Munich, Germany. Furthermore, the Claimant did not identify the joint account owner, despite the fact that this person appears to be related to the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father 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
30 September 2004