

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Sondra Briggs

in re Account of Josef Rosenfeld

Claim Number: 401166/SB

This Certified Denial is based on the claim of Sondra Briggs (the “Claimant”) to the published account of Josef Rosenfeld (the “Account Owner”) at the [REDACTED] (the “Bank”).

All denials are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form in 2005 asserting that her maternal grandfather, Josef Rosenfeld, who was born on 2 October 1879 in Dobromyl (today the Ukraine) and was married to Anna Brettschneider on 20 June 1905 in Buczacz (today the Ukraine), owned a Swiss bank account. The Claimant stated that her grandfather, who was Jewish, was an official clerk and a businessman who, from 1905, resided in Vienna, Austria, until his deportation to Buchenwald concentration camp, where he perished in 1939. The Claimant indicated that she was born on 2 September 1952 in New York, New York, the United States.

The Claimant submitted documents in support of her claim, including the birth certificate of her mother, Amalie Rosenfeld, which indicates that at the time of her mother’s birth in 1919, the family resided in Vienna.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Josef Rosenfeld. 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 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 5034371

The Bank's records indicate that the Account Owner was Josef Rosenfeld. The Bank's records also indicate the Account Owner's title, street addresses, cities and countries of residence and the date on which the Account Owner was residing in one of his cities of residence.

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 Claimant has not identified the Account Owner as her relative. Although the name of her grandfather matches the published name of the Account Owner, the information provided by the Claimant differs materially from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that from 1905 her grandfather resided in Austria. In contrast, the Bank's records show that during this time the Account Owner resided in another country, which the Claimant did not identify. The CRT also notes that the Claimant did not identify the title held by the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandfather 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 Special Master Michael Bradfield, 51 Louisiana Ave., NW, Washington, DC 20001 USA.

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, 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 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
8 August 2006