

# CLAIMS RESOLUTION TRIBUNAL

---

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

## **Certified Denial**

to Claimant [REDACTED]  
represented by [REDACTED]

## **in re Accounts of Fritz Rosenthal**

Claim Number: 220282/SB

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published accounts of Fritz Rosenthal. This Denial is to the published accounts of Fritz Rosenthal (“Account Owner 1”) at the [REDACTED] (“Bank 1”) and to the unpublished account of Fritz Rosenthal (“Account Owner 2”) at the [REDACTED] (“Bank 2”).

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 are redacted.

### **Information Provided by the Claimant**

The Claimant submitted a Claim Form asserting that his father, Fritz Rosenthal, who was born on 7 December 1888 in Philippstein, Germany, and married [REDACTED] on 22 August 1913 in Germany, owned a Swiss bank account. The Claimant stated that his father, who was Jewish, was a salesman and a partner in a dairy business and resided in Philippstein until he fled to the United States in 1937. The Claimant stated that his father died on 31 December 1956 in New York, New York. The Claimant indicated that he was born on 12 May 1914 in Philippstein.

The Claimant submitted his birth certificate in support of his application, which indicates that he was born in Philippstein, and that Fritz Rosenthal was his father.

### **Information Available in the Banks’ Records**

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Fritz Rosenthal. 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 four accounts whose owners’ names match the name provided by the Claimant. Each account is identified below by its Account Identification Number, which is a number assigned to the account by the ICEP auditors for tracking purposes.

### Accounts 1010940, 1010941, 1010942

Bank 1's records indicate that Account Owner 1 was Fritz Rosenthal, who resided in Germany. Bank 1's records also indicate Account Owner 1's city of residence. Furthermore, Bank 1's records indicate the dates of opening and of closing of the accounts at issue.

### Account 4019974

Bank 2's records indicate that Account Owner 2 was Fritz Rosenthal. Bank 2's records also indicate Account Owner 2's city and country of residence. Furthermore, Bank 2's records indicate the date of opening of the account at issue.

## **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 Owners

As for Accounts 1010940, 1010941 and 1010942 the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his father matches the published name of Account Owner 1, the information provided by the Claimant differs from the unpublished information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant stated that his father resided and worked in Philippstein, Germany. In contrast, Bank 1's records show that Account Owner 1 resided in a city that is more than 250 kilometers from Philippstein. The CRT notes that Philippstein is a small town, whereas Account Owner 1's place of residence is a major urban center and that there are several other major cities significantly closer to Philippstein than Account Owner 1's city of residence, thus rendering it unlikely that the Claimant's father would indicate Account Owner 1's city of residence, even for the purposes of maintaining a Swiss bank account. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's father are the same person.

As for Account 4019974, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his father matches the unpublished name of the Account Owner, the information provided by the Claimant differs from the unpublished information about Account Owner 2 available in Bank 2's records. Specifically, the Claimant stated that his father resided in Germany. In contrast, Bank 2's records show that Account Owner 2 resided in a different country. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's father are the same person. Moreover, the CRT notes that another claimant has identified Account Owner 2 as her relative. All decisions are published upon release on the CRT's website at [www.crt-ii-org](http://www.crt-ii-org).

### 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 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 his 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  
9 November 2006