

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

## **in re Accounts of Isidore Rosenthal**

Claim Number: 220761/MG<sup>1,2</sup>

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published accounts of Isidore Rosenthal (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 his mother’s first husband, Isidore Rosenthal, owned a Swiss bank account. The Claimant stated that his mother, [REDACTED], née [REDACTED], married Isidore Rosenthal in Czechoslovakia or Romania. The Claimant stated that his mother’s first husband, who was Jewish, resided in Volove, Czechoslovakia. According to the Claimant, in the summer of 1942, his mother’s first husband attempted to enter Switzerland from the Swiss-Italian border, but did not succeed. The Claimant further stated that his mother’s first husband was deported in 1942 to Auschwitz, where he perished. The Claimant indicated that he was born on 27 June 1950 in Montreal, Canada.

The Claimant previously submitted an Initial Questionnaire to the Court in 1999, asserting his entitlement to a Swiss bank account owned by Isidore Rosenthal.

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<sup>1</sup> The Claimant submitted two additional claims, which are registered under the Claim Numbers 220762 and 220763. The CRT will treat these claims in separate determinations.

<sup>2</sup> The Claimant submitted Initial Questionnaires to the Court in 1999 and Claim Forms to the CRT. The CRT is treating the Initial Questionnaires and the Claim Forms under the consolidated Claim Numbers 220761, 220762 and 220763.

## **Information Available in the Bank's Records**

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Isidore 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 two accounts whose owner's name matches that 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.

### Account 1010946 and 1010947

The Bank's records indicate that the Account Owner was Isidore Rosenthal, who resided in Italy. The Bank's records also indicate the Account Owner's city of residence and the dates of opening and closing of the accounts at issue.

## **The CRT's Analysis**

### Admissibility of the Claims

The CRT has determined that the claims are 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 his relative. Although the name of his mother's first husband 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 his mother's first husband resided in Czechoslovakia and that in the summer of 1942 he attempted to enter Switzerland from the Swiss-Italian border. In contrast, the Bank's records show that the Account Owner resided in a city in Italy several years before 1942. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's mother's first husband 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 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