

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Philipp Rosenthal¹

Claim Number: 202290/MD/MG²

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to an account of Filip Rosenthal and *Tauber Winery*. The CRT did not locate an account belonging to Filip Rosenthal or *Tauber Winery* 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 Philipp 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 are redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form asserting that her father, Filip (Philip) Rosenthal, who was born in August 1886 in Mad, Hungary, and was married to [REDACTED], née [REDACTED], owned a Swiss bank account. The Claimant stated that her parents had three children: [REDACTED] who was born in 1910 in Olasziszka, Hungary; [REDACTED] who was born in 1912 in Olasziszka; and [REDACTED] (the Claimant) who was born in 1924 in Olasziszka. The Claimant stated that her father was employed with the winery *Tauber* in Olasziszka and in Tokaj, Hungary, as a winemaker and that his salary was transferred to a Swiss bank account. The Claimant stated that the bank account could have been opened under the name of the winery, *Tauber*. According to the Claimant, her parents were Jewish and were deported to Auschwitz, where they perished.

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 transcriptions of names into different languages.

² The Claimant submitted an Initial Questionnaire with the Court in 1999 and a Claim Form to the CRT. The CRT is treating the Initial Questionnaire and the Claim Form under the consolidated Claim Number 202290.

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

The Claimant submitted her birth certificate in support of her application.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Filip (Philip) Rosenthal. 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 4020281

The Bank's records indicate that the Account Owner was Philipp Rosenthal, who resided in Selb, Germany. The Bank's records also indicate the Account Owner's professional title.

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's name 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 lived in Olasziszka, Hungary, where he was employed as a winemaker. In contrast, the Bank's records show that the Account Owner lived in Selb, Germany, and used a title indicating a different profession than that of the Claimant's father. 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
13 October 2004