

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of E. Rosenzweig¹

Claim Number: 206488/MD/MG²

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to an account of Ernő (Dezső, Istvan) Rosenzweig-Rakos. The CRT did not locate an account belonging to Ernő (Dezső, Istvan) Rosenzweig-Rakos 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 E. Rosenzweig (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, Ernő (Dezső, Istvan) Rosenzweig-Rakos, who was born on 2 September 1903 in Budapest, Hungary, and was married to [REDACTED], née [REDACTED], on 28 May 1928 in Budapest, owned a Swiss bank account. The Claimant stated that her father was an architect who lived in Vienna, Austria, from 1931 to 1939, and thereafter in Budapest. The Claimant explained that her father, who was Jewish, was interned in labor camps by the Nazis. According to the Claimant, her father died on 30 April 1976 in Budapest. The Claimant indicated that she was born on 4 April 1929 in Budapest.

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.

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 206488.

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

The Claimant submitted documents in support of her application, including: (1) her birth certificate, and (2) a document certifying that the Claimant was Jewish, and was persecuted by the Nazis.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Ernö Rosenzweig. The auditors who carried out the ICEP Investigation reported one account whose owner's name was 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 2016462

The Bank's records indicate that the Account Owner was E. Rosenzweig, who resided in Vienna, Austria. The Bank's records also indicate the Account Owner's full name, title and street address in Vienna.

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 matches the published first initial and last 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 her father's first name was Ernö, and that he was an architect. The documents provided by the Claimant indicate that her father also used the name Desider (Dezsö). In contrast, the Bank's records show that the Account Owner had a different first name. Further, the Claimant did not identify the title used by the Account Owner as indicated in the Bank's records. 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