

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Imre Rostas

in re Account of Dezsö Roth

Claim Number: 206771/MD/AX¹

This Certified Denial is based on the claim of Imre Rostas, formerly known as Imre Roth, (the “Claimant”) to an account of Dezsö Roth, Imre Rostas, and Herman Roth. The CRT did not locate an account belonging to Imre Rostas or Herman Roth 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 Dezsö Roth (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 asserting that his older brother, Dezsö Roth, who was born on 23 February 1899 in Hejösaba, Hungary, owned a Swiss bank account. The Claimant stated that he was the beneficial owner of the claimed account. The Claimant further stated that his brother was a businessman in Hungary. The Claimant indicated that he studied in France, and that his studies were financed by the money in his brother’s account in Switzerland. In a letter to the CRT dated 9 June 2003, the Claimant’s daughter indicated that the Claimant’s brother was not married. According to the Claimant, Dezsö Roth, who was Jewish, was shot by Hungarian fascists in Budapest, Hungary in 1945. The Claimant indicated that he was born on 6 August 1918 in Hejösaba.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by his father, Herman Roth.

¹ 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 206771.

The Claimant submitted documents in support of his application, including: (1) Dezsö Roth's birth certificate; (2) his own birth certificate with a notation regarding the change of last name from Roth to Rostas.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Dezsö Roth. The auditors who carried out 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.

Accounts 5023915 and 5029586

The Bank's records indicate that the Account Owner was Dezsö Roth, who resided in Budapest, Hungary. The Bank's records also indicate the name of the person with whom this account was jointly held, as well as the relationship between the Account Owner and the joint account owner. In addition, the Bank's records indicate the name of the Account Owner's spouse, including her maiden name. Furthermore, the Bank's records indicate the date of opening of the accounts at issue. Finally, the Bank's records contain dated signatures of the Account Owner and the joint account owner.

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 his relative. Although the name of his brother 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 his brother was unmarried. In contrast, the Bank's records show that the Account Owner was married and indicate his wife's name. Furthermore, the Claimant did not identify the name of the joint account owner, although the joint account owner is related to the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's brother 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 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
30 September 2004