

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED 1]
also acting on behalf of [REDACTED 2]

in re Account of Pal Rozsa and Palne Rozsa

Claim Numbers: 212820/SB; 212821/SB¹

This Certified Denial is based on the claims of [REDACTED 1] (the “Claimant”) to the accounts of Pal Rozsa and Clara (Klara, Palne) Rozsa.² This Denial is to the published account of Pal Rozsa (“Account Owner 1”) and Palne Rozsa (“Account Owner 2”) (together the “Account Owners”) 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 parents Pal Rozsa and Palne Rozsa, née Willinger, who were Jewish, and were married on 5 May 1931, owned a Swiss bank account. The Claimant stated that his father was born on 27 November 1904 in Budapest, Hungary, and that his mother was born on 31 July 1908, also in Hungary. The Claimant further stated that his father was a businessman and his mother a housewife, who resided in Budapest. The Claimant indicated that his mother died on 12 February 1945 in Budapest, and his father died on 16 October 1969 in Sydney, Australia. The Claimant indicated that he was born on 2 June 1937 in Budapest.

The Claimant submitted documents in support of his claim, including his mother’s death certificate, which indicates Palne Rozsa’s date and place of death and that she resided in Budapest.

¹ According to Article 37 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the two claims of the Claimant in one proceeding.

² The CRT did not locate an account belonging to Clara (Klara) Rozsa 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.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relatives, Pal Rozsa and Palne Rozsa. 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 one account whose owners' names match those 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 4020060

The Bank's records indicate that the Account Owners were Pal Rozsa and Palne Rozsa, who resided in Hungary. The Bank's records also indicate Account Owner 1's professional or academic title and the names of three additional joint account owners.

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 Owners

The CRT concludes that the Claimant has not identified the Account Owners as his relatives. Although the name of his parents match the published names of the Account Owners, the information provided by the Claimant differs materially from the unpublished information about Account Owner 1 available in the Bank's records. Specifically, the Claimant stated that his father was a businessman, and did not indicate that his father had a professional or academic title. In contrast, the Bank's records show that Account Owner 1 had such a title. The CRT also notes that the Claimant did not identify the joint account owners, even though one of these persons appears to be closely related to the Account Owners. Consequently, the CRT is unable to conclude that the Account Owners and the Claimant's parents are the same people. Moreover, it should be noted that the CRT has awarded the account to other claimants, who plausibly identified the Account Owners and the joint account owners as their relatives. All decisions are published upon release on the CRT's website at www.crt-ii.org.

Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"), the Claimant may appeal this decision or submit a request for reconsideration within ninety (90) days of the date of the letter accompanying this decision.

An appeal must be based upon a plausible suggestion of error regarding the CRT's conclusions set out in this decision. Any appeals which are submitted without a plausible suggestion of error

shall be summarily denied. A request for reconsideration must be based on new documentary evidence not previously presented to the CRT that, if considered, would have led to a different outcome of the claim. Claimants should briefly explain the relevance of the newly submitted documents in view of the conclusions stated in the certified decision.

The Claimant should send appeals and/or requests for reconsideration in writing to the following address: Oren Wiener, Claims Resolution Tribunal, Attention: Appeals / Request for Reconsideration, P.O. Box 9564, 8036 Zurich, Switzerland. If more than one account has been treated in this decision, the Claimant should identify the account, including, where available, the Account Identification Number, that forms the basis of the appeal and/or request for reconsideration.

Scope of the Denial

The Claimant should be aware that the CRT will carry out further research on his claims 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
27 February 2007