

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]
represented by Ilana McLeod

in re Account of Sandorne Barna

Claim Number: 400309/SB^{1,2}

This Certified Denial is based on the claim [REDACTED] (the “Claimant”) to the account of Sandorne Barna (Blum).³ This Denial is to the published account of Sandorne Barna (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 in 2005 asserting that her great-uncle, Sandorne Barna, who was born in Hungary, owned a Swiss bank account. The Claimant stated that her great-uncle, who was Jewish, was a businessman who resided in Hungary. The Claimant further stated that her great-uncle perished in Auschwitz. The Claimant indicated that she was born on 19 August 1927 in Budapest, Hungary.

¹ The Claimant submitted 16 additional claims, which are registered under the Claim Numbers 214057, 214824, 217895, 217926, 218240, 218241, 218242, 218445, 218446, 218526, 219032, 400306, 400316, 4400274, 400289, and 400320. In a separate decision, the CRT awarded the accounts of Friedrich Spitz to the Claimant, see *In re Accounts of Friedrich Spitz* (approved on 27 December 2002) and has treated the Claimant’s claim to the account of Imre Guttman, see *In re Account of Imre Guttman* (approved on 8 August 2006). The CRT will treat the remaining claims in separate determinations.

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 214057.

³ The CRT did not locate an account belonging to Sandorne Blum 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”).

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Sandorne Barna. The CRT further notes that the auditors who carried out the investigation of this bank to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons ("ICEP" or the "ICEP Investigation") did not report an account belonging to Sandorne Barna during their investigation of the Bank. The documents evidencing an account belonging to Sandorne Barna were obtained from the Swiss Federal Archive in Bern, Switzerland, and pertain to accounts reported in a survey conducted pursuant to Swiss Federal legislation requiring the registration of assets dormant since 9 May 1945 held in Switzerland by foreigners or stateless persons known or presumed to have been victims of racial, religious or political persecution (the "1962 Survey"). The account is identified below by its Account Identification Number, which is a number assigned to the account for tracking purposes.

Account 6001446

The 1962 Survey records indicate that the Account Owner was Sandorne Barna. The 1962 Survey records also indicate the Account Owner's gender, title and city and country of residence.

The CRT's Analysis

Admissibility of the Claim

The CRT has determined that the claim is 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 her relative. Although the name of great-uncle 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 1962 Survey records. Specifically, the Claimant claimed an account belonging to her great-uncle. In contrast, the 1962 Survey records show that the Account Owner was female. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's great-uncle are the same person.

Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of 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 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
19 March 2007