

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Edith Barta

Claimed Account Owners: Edith Barta and Lili Schwarcz¹

Claim Number: 221137/NB

This Certified Denial is to the claim of Edith Barta (the “Claimant”) to Swiss bank accounts potentially owned by the Claimant herself, Edith Barta (née Schwarcz, formerly Beerman) and her sister, Lili (Lily) Tendler (née Schwarcz) (the “Claimed Account Owners”).

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 stating that she and her sister, Lili Tendler, née Schwarcz, were the daughters of Herman Schwarcz, that they were Jewish, and that they resided in Hungary. The Claimant stated that her sister may have opened a Swiss bank account on her behalf. The Claimant explained that she married [REDACTED] in 1940 and that they changed their last name to Barta when they emigrated to the United States after the Second World War. The Claimant did not state that she holds any academic or professional title. The CRT notes that the Claimant provided the names of her close family members and numerous distant family members in the several claims that she filed.

The CRT’s Investigation

The CRT matched the names of Lili (Lily) Tendler (née Schwarcz) and Edith Barta (née Schwarcz, formerly Beerman) to the names of all account owners in the Account History Database and identified accounts belonging to individuals whose names match, or are substantially similar to, the name of the Claimed Account Owners. In doing so, the CRT used advanced name matching systems and computer programs, and considered variations of names, including name variations provided by Yad Vashem, The Holocaust Martyrs’ and Heroes’ Remembrance Authority, in Jerusalem, Israel, to ensure that all possible name matches were

¹ The Claimant should note that this determination relates only to the Claim Number and Claimed Account Owners stated above, and that the CRT is aware that the Claimant may have submitted other claims.

identified. However, a close review of the relevant bank records indicated that the information contained therein was inconsistent with the information the Claimant provided regarding the Claimed Account Owners. Accordingly, the CRT was unable to conclude that any of these accounts belonged to the Claimed Account Owners.

The CRT's Analysis

Identification of the Account Owners

The list below contains names of account owners that match the names of the Claimed Account Owners and the reasons why the CRT has concluded that the Claimed Account Owners and an account owner are not the same person. If an account owner's place of residence was published, that place of residence is also listed.

Name: E. Schwarz

Account Identification Number: 4021075

Specifically, the Claimant stated that she married [REDACTED] in 1940. In contrast, the records indicate that the account owner was married to a different person.

Name: Ed. Schwarz

Account Identification Number: 6002104

Specifically, the Claimant stated that she resided in Hungary until she emigrated to the United States. In contrast, the records show that the account owner resided in a different country.

Name: Lili Schwarcz (Hungary)

Account Identification Number: 1011180

Specifically, the Claimant claimed an account belonging to her sister, Lili Schwarcz. The CRT notes that the Claimant provided the names of all her close family members and numerous distant family members. In contrast, the records show that the account owner held the account jointly with another person who was closely related to the account owner and who was not identified by the Claimant.

The Claimant should note that all accounts awarded by the CRT 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 CRT now considers the Claimant's claim to the accounts of Edith Barta and Lili Schwarcz closed. Please note that this decision applies only to the Claim Number and Claimed Account Owners identified herein, and that the CRT is aware that the Claimant may have claimed accounts held by other persons or entities both in the Claim Number specified above and in other claims submitted to the CRT.

Certification of the Denial

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal
28 May 2010