

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

**Claimed Account Owners: Ignaz Berger and Alice Berger<sup>1</sup>**

Claim Number: 222559/RT

This Certified Denial is to the claim of [REDACTED] (the “Claimant”) to Swiss bank accounts potentially owned by the Claimant’s relatives, Ignaz Berger and Alice Berger (Radnai, Roth) (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 Ignaz Berger and Alice Berger, who were Jewish, resided in Kisvarda, Hungary. The Claimant further stated that Ignaz Berger also resided in Vienna and Linz, Austria, and in Geneva and Basel, Switzerland. The CRT notes that the Claimant filed several Initial Questionnaires (“IQs”) with the Court in 1999, in which she stated that her relatives resided in Hungary and in which no other countries of residence were identified.

### **The CRT’s Investigation**

The CRT matched the names of Ignaz Berger and Alice Berger (Radnai, Roth) 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 identified. However, a close review of the relevant bank records indicated that the information contained therein was inconsistent with the information the

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<sup>1</sup> 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.

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: Ignaz Berger (Austria)*

*Account Identification Number: 1000075*

*Specifically, the Claimant stated that her relative, Ignaz Berger, resided in Vienna and Linz. In contrast, the records show that the account owner resided in a different city, which is over 200 kilometers from Vienna and Linz. The CRT notes that Vienna, Linz and the account owner's city of residence are major cities, thus rendering it unlikely that a resident of Vienna or Linz would indicate the account owner's distant city of residence as his or her place of residence. The CRT also notes that the Claimant did not identify Austria as her relative's place of residence until after its publication in 2001.*

*Name: A. Berger*

*Account Identification Number: 5033254*

*Specifically, the Claimant stated that her relative, Alice Berger, resided in Hungary. In contrast, the records show that the account owner resided in a different country.*

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](http://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 Ignaz Berger and Alice Berger 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  
11 March 2009