

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Edith Eisenberg

Claimed Account Owners: Malka Binder, née Bauer, and Joseph Binder¹

Claim Number: 003993/MG

This determination is based on the claim of Edith Eisenberg (the “Claimant”) to a Swiss bank account potentially owned by Malka (Josefine, Sofie, Mali, Malvin, Magda) Binder (Bender, Bonder, Bunder), née Bauer, Joseph Binder, Herman Binder, Berta Ingber, Toybe Kopsitz, Ozer Eisenberg and Moshe-Itzhak Eisenberg. The CRT did not locate an account belonging to Herman Binder, Berta Ingber, Toybe Kopsitz, Ozer Eisenberg and Moshe-Itzhak Eisenberg 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 Certified Denial is to Swiss bank accounts potentially owned by the Claimant’s relatives Malka Binder, née Bauer, and Josef Binder (the “Claimed Account Owners”).

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 stating that Malka Binder, née Bauer, and Joseph Binder, who were Jewish, married in Poland or Austria, resided in Salgotarjan, Hungary, and had four children: Herman, Sara, Berta and Pepi. The Claimant stated that Malka Binder, née Bauer, was a businesswoman, who held Hungarian and Czech citizenship.

The CRT’s Investigation

The CRT matched the names of Malka (Josefine, Sofie, Mali, Malvin, Magda) Binder (Bender, Bonder, Bunder), née Bauer, and Joseph Binder to the names of all account owners, and power of attorney holders, in the Account History Database and identified accounts belonging to

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.

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 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, and power of attorney holders, 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, or power of attorney holder, are not the same person. If the account owner's place of residence was published, that place of residence is also listed.

Name: Josefine Bauer

Account Identification Numbers: 1000050 and 1000051

Specifically, the Claimant stated that her relative, Malka (Josefine) Binder, née Bauer, married in Poland or Austria, resided in Hungary and also held a Czech nationality. In contrast, the records show that the account owner resided in another country.

Name: Sofie Bender

Account Identification Number: 1000067

Specifically, the Claimant stated that maiden name of her relative, Malka Binder, was Bauer. In contrast, the records show that the account owner had a different maiden name.

Name: J. Bauer (Austria)

Account Identification Number: 1008772

Specifically, the Claimant stated that her relative, Malka Binder, was a businesswoman. In contrast, the records show that the account owner had a different profession and a title, which the Claimant did not identify.

Name: M. Binder (Yugoslavia)

Account Identification Number: 1008775

Specifically, the Claimant is claiming the account of her relative Malka Binder, née Bauer. In contrast, the records show that the account owner was male.

Name: Frl. Sofie Bender (Heidelberg, Germany)

Account Identification Number: 5033496

Specifically, the Claimant stated that her relative's maiden name was Bauer. In contrast, the records show that the account owner's maiden name was Bender.

Name: Josef Binder

Account Identification Number: 5035878

Specifically, the Claimant stated that her relative, Joseph Binder, had four children: Herman, Sara, Berta and Pepi. In contrast, the records show that the account owner had a child with a different name.

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 Malka Binder, née Bauer, and Joseph Binder 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
27 February 2007