

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

Claimed Account Owner: Janos Boros, Etienne Goldberger and Michel Goldberger¹

Claim Number: 213916/SB

This determination is based on the claim of [REDACTED] (the “Claimant”) to a Swiss bank account potentially owned by Janos Boros, Etienne Goldberger and Michel Goldberger. The CRT did not locate an account belonging to Janos Boros 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 the Swiss bank accounts of Etienne Goldberger and Michel Goldberger as published on the February 2001 published list of accounts determined by Independent Committee of Eminent Persons (“ICEP”) to be probably or possibly those of Victims of Nazi Persecution (the “ICEP List”) which the Claimant stated was potentially owned by the Claimant’s relative, Janos Boros.

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 Janos Boros was the part owner of an account held by a Mr. Goldberger. The Claimant did not state how Janos Boros was connected with the published account owners, Etienne Goldberger and Michel Goldberger, but the CRT does note that in her ATAG Ernst and Young claims, submitted in 1998, the Claimant stated that Janos Boros may have opened an account either using the last name Goldberger, or with Goldberger as a code name or password.

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.

The CRT's Investigation

The CRT matched the names of Etienne Goldberger and Michel Goldberger 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 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: Etienne Goldberger (France)

Account Identification Number: 4022097

Specifically, the Claimant stated that Janos Boros was the part owner of a Mr. Goldberger or, that Janos Boros may have opened an account either using the last name Goldberger or with Goldberger as a code name or password. In contrast, the records show that the account at issue was owned the account owner, Etienne Goldberger, that it was not opened by, or held on behalf of, any third party and that the account owner's name was not a pseudonym, codeword or password.

Name: Michel Goldberger

Account Identification Number: 4020544

Specifically, the Claimant stated that Janos Boros was the part owner of a Mr. Goldberger or, that Janos Boros may have opened an account either using the last name Goldberger or with Goldberger as a code name or password. In contrast, the records show that the account at issue was owned the account owner, Michel Goldberger, that it was not opened by, or held on behalf of, any third party and that the account owner's name was not a pseudonym, codeword or password.

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 Janos Boros, Etienne Goldberger and Michel Goldberger 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
29 September 2008