

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Rosa Deutsch¹

Claim Numbers: 220608/SB; 600622/SB^{2, 3, 4}

This Certified Denial is based on the claims of [REDACTED], née [REDACTED], (the “Claimant”) to the accounts of Rozi (Rose, Rosalie, Roszalie, Rosie) Deutsch, née Kasticher, and Moritz (Morris, Mauritz, Mor) Deutsch. The CRT did not locate an account belonging to Rozi (Rose, Rosalie, Roszalie, Rosie) Deutsch, née Kasticher, or Moritz (Morris, Mauritz, Mor) Deutsch 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 Denial is to the published accounts of Rosa Deutsch (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 and a claim to the Holocaust Claims Processing Office (“HCPO”) asserting that her maternal aunt, Rozi Deutsch, who was born in approximately 1879 in Peterreve, Hungary, and was married to [REDACTED] in Hungary, owned a Swiss bank

¹ In an effort to locate any and all accounts that might have belonged to the Claimant’s relative, the CRT has reviewed and analyzed all accounts whose owners’ names are substantially similar to that of the Claimant’s relative, even if the Claimant did not specifically claim that particular account. Moreover, the CRT recognizes that, in many cases, spellings of names have changed due to the passage of time in the decades since the Second World War, as well as due to the transcription of names into different languages.

² The Claimant submitted a claim, numbered B-01592, on 3 December 1998, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 600622.

³ According to Article 37 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the two claims of the Claimant in one proceeding.

⁴ 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 220608.

account. The Claimant stated that her aunt, who was Jewish, resided in Rayica, Novi Sad, Yugoslavia, where she owned a business. The Claimant further stated that, in 1944, her aunt was deported to Auschwitz, where she was murdered. The Claimant indicated that she was born on 24 February 1922 in Petrovo Selo, Yugoslavia.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Rosie Deutsch.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Rozi Deutsch. The auditors who carried out the ICEP Investigation reported five accounts whose owner's name is substantially similar to that provided by the Claimant. The account is identified below by its Account Identification Number, which is a number assigned to the account by the ICEP auditors for tracking purposes.

Accounts 1011918 to 1011922

The Bank's records indicate that the Account Owner was Rosa Deutsch, who resided in Austria. The Bank's records also indicate the Account Owner's city of residence and the dates of closing of the accounts at issue.

The CRT's Analysis

Admissibility of the Claims

The CRT has determined that the claims are admissible according to Article 18 of 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 her aunt is substantially similar to the published name of the Account Owner, the information provided by the Claimant differs materially from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her aunt resided in Rayica, Novi Sad, Yugoslavia and was deported in 1944 to Auschwitz, where she was murdered. In contrast, the Bank's records show that the Account Owner resided in a city in Austria. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's aunt are the same person. Moreover, it should be noted that the CRT has awarded the accounts to another claimant, who plausibly identified the Account Owner as her relative. All decisions are published upon release on the CRT's website at www.crt-ii.org.

Right of Appeal

Pursuant to Article 30 of the Rules, the Claimant may appeal this Denial to the Court through the Special Masters within ninety (90) days of the date of the letter accompanying this decision. Appeals should be delivered to the following address: Office of Special Master Michael Bradfield, 51 Louisiana Ave., NW, Washington, DC 20001 USA.

The Claimant should send appeals in writing to the above address and should include all reasons for the appeal. If more than one account has been denied in this Certified Denial, the Claimant should identify the Account Identification Number that forms the basis of the appeal. Appeals submitted without either a plausible suggestion of error or relevant new evidence may be summarily denied.

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
21 September 2005