

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Hedvik Geiringer

in re Account of Hedwig Ehrenstein, Kurt Ehrenstein and Sigmund Ehrenstein

Claim Numbers: 300572/KG; 300671/KG; 300676/KG

This Certified Denial is based upon the claims of Hedvik Geiringer, née Ehrenstein, (the “Claimant”) to the published account of Hedwig Ehrenstein (“Account Owner H. Ehrenstein”), Kurt Ehrenstein (“Account Owner K. Ehrenstein”) and Sigmund Ehrenstein (“Account Owner S. Ehrenstein”) (together the “Account Owners”), over which Hermine Ehrenstein (the “Power of Attorney Holder”) held power of attorney at the Zurich branch of the [REDACTED] (the “Bank”).¹

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 Form identifying the Account Owners as herself, Hedvika (Hedwig) Ehrenstein, her father, Sigmund Ehrenstein, and her brother, Kurt Ehrenstein, and the Power of Attorney Holder as her mother, Hermine Ehrenstein, née Neumann. The Claimant stated that her father was born in 1879, that her mother was born in 1889, and that they married in 1912 in Austria-Hungary. According to the Claimant, her parents had two children: Kurt Ehrenstein, who was born on 13 November 1912 in Austria Hungary and the Claimant, who was born on 21 December 1914 in Bratislava, Austria-Hungary (now Slovakia). The Claimant indicated that she and her family, who were Jewish, lived at Gumdulicoba 1 in Bratislava. According to the Claimant, in 1939, she left Czechoslovakia for the United Kingdom, where she worked as a nurse. The Claimant added that she had been told that her parents were taken from their home and deported to a concentration camp, where they perished in approximately 1942. The Claimant stated further that her brother, Kurt Ehrenstein, escaped to Russia during the Second World War, and that he eventually died in 1977 in Prague, Czechoslovakia (now the

¹ The CRT notes that, on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons (“ICEP”) to be probably or possibly those of Victims of Nazi Persecution (the “ICEP List”), Hedwig Ehrenstein, Kurt Ehrenstein, and Sigmund Ehrenstein are indicated as having one account each. Upon careful review, the CRT has concluded that the Bank’s records evidence the existence of one account held jointly by Sigmund Ehrenstein, Kurt Ehrenstein, and Hedwig Ehrenstein.

Czech Republic). The Claimant indicated that her brother had two sons, but that she is not in contact with them.

In support of her claim, the Claimant submitted a copy of her birth certificate, which indicates that her name is Hedvika, that she was born on 21 December 1914, that her parents were Sigmund Ehrenstein and Hermina Neumannova of Bratislava, and that they were Jewish; and a copy of her marriage certificate, indicating that her maiden name was Hedvika Ehrensteinova and that her father's name was Siegmund Ehrenstein.

As noted above, the Claimant indicated that she was born on 21 December 1914 in Bratislava.

Information Available in the Bank's Records

The Bank's record submitted by the auditors who carried out the investigation of this bank to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons ("ICEP" or the "ICEP Investigation") consists of a printout from the Bank's database. According to this record, the Account Owners were Hedwig Ehrenstein, Sigmund Ehrenstein, and Kurt Ehrenstein and the Power of Attorney Holder was Hermine Ehrenstein. The Bank's record further indicates that the Account Owners resided in Bratislava, Czechoslovakia.

Pursuant to Article 6 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"), the CRT requested the voluntary assistance of the Bank to obtain additional information about this account ("Voluntary Assistance"). The Bank provided the CRT with additional documents. These documents, which consist of three Power of Attorney Forms, indicate that Sigmund Ehrenstein was the father of Kurt and Hedwig Ehrenstein, and that Sigmund, Kurt, and Hedwig Ehrenstein jointly owned a savings/passbook account, numbered 12846, over which *Frau* (Mrs.) Hermine Ehrenstein, Sigmund Ehrenstein's wife, held power of attorney. The Bank's records indicate that the Account Owners and the Power of Attorney Holder lived at Gundulicgasse (or Gundulicova) 1a in Bratislava. These records contain signature samples for Account Owner S. Ehrenstein and the Power of Attorney Holder. The Bank's records indicate that the account was closed on 7 June 1932. The amount in the account on the date of its closure is unknown.

The CRT's Analysis

Joinder of Claims

According to Article 37(1) of 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 three claims of the Claimant in one proceeding.

Identification of the Account Owners

The Claimant has plausibly identified the Account Owners. The Claimant's name, the names of her mother, father and brother and their city and country of residence match the published names and city and country of residence of the Account Owners and the Power of Attorney Holder. The Claimant identified the Account Owners' street address in Bratislava and the relationship between the Account Owners and the Power of Attorney Holder, which matches unpublished information contained in the Bank's records.

In support of her claim, the Claimant submitted documents, including her birth certificate, which indicates that her name is Hedvika² and that her parents were Sigmund and Hermina³ Ehrenstein of Bratislava; and her marriage certificate, indicating that her maiden name was Hedvika Ehrensteinova,⁴ and that her father's name was Siegmund Ehrenstein, providing independent verification that the persons who are claimed to be the Account Owners and the Power of Attorney Holder had the same names and resided in the same city as the names and city of residence of the Account Owners and the Power of Attorney Holder recorded in the Bank's records.

The CRT notes that the other claim to this account was disconfirmed because that claimant indicated that the claimed account owners and claimed power of attorney holder had a different familial relationship than the familial relationship between the Account Owners and the Power of Attorney Holders indicated in the Bank's records, and because the dates of birth and fate of the claimed account owners and power of attorney holder did not correspond with the information provided by the Claimant.

Status of the Account Owners as Victims of Nazi Persecution

The Claimant has made a plausible showing that the Account Owners were Victims of Nazi Persecution. The Claimant stated that she is Jewish, as were her parents and brother, that her parents were murdered in a concentration camp in 1942 and that her brother fled Czechoslovakia for Russia.

The Claimant's Relationship to the Account Owners

The Claimant has plausibly demonstrated that she is related to the Account Owners by submitting specific information and documents, demonstrating that she and her father and brother were the Account Owners and that her mother was the Power of Attorney Holder. These documents include her birth certificate, which indicates that her name is Hedvika and that her parents were Sigmund and Hermina Ehrenstein; and her marriage certificate, indicating that her maiden name was Hedvika Ehrensteinova, and that her father's name was Siegmund Ehrenstein.

² The CRT notes that Hedvika is the Czech and Slovak form of Hedwig.

³ The CRT notes that the names Hermine and Hermina are both versions of the feminine form of the male name Hermann and can thus be regarded as the same name.

⁴ The CRT notes that the ending "-ova" is a common ending for Czech and Slovak feminine surnames and that, accordingly, the surname Ehrensteinova corresponds with the surname Ehrenstein.

The Issue of Who Received the Proceeds and Jurisdiction

The Bank's records indicate that the account was closed on 7 September 1932. According to Article 14 of the Rules, the CRT has jurisdiction to resolve claims to the Accounts of Victims open or opened in Swiss banks during the Relevant Period. The "Relevant Period" is defined in Article 46(8) of the Rules as the period from January 1, 1933 to December 31, 1945. Accordingly, because it was closed in 1932, which is before the Relevant Period, this account falls outside the CRT's jurisdiction, and the CRT is unable to make any official determination as to the account's disposition.

Nevertheless, the CRT notes that the account was closed before the Nazis' rise to power in Germany in January 1933 and years before the Nazi occupation of Slovakia in 1940.

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. 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, pursuant to Article 20 of the Rules, the CRT will carry out further research on her claims to determine whether there are additional Swiss bank accounts to which she might be entitled, including research of the Total Accounts Database (consisting of records of 4.1 million Swiss bank accounts which existed between 1933 and 1945).

Certification of the Denial

The CRT certifies this Denial for approval by the Court and by the Special Masters.

Claims Resolution Tribunal
6 May 2006