

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]  
represented by Stephen Harnik

## **in re Accounts of Friedrich J. T. Engel**

Claim Number: 500811/GO<sup>1</sup>

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the account of Friedrich Engel-Janosi (Engel, Janosi). This Denial is to the published account of Friedrich J. T. Engel (the “Account Owner”) at the [REDACTED] (the “Bank”).<sup>2</sup>

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 asserting that his cousin, Prof. Dr. Friedrich Engel-Janosi, who was born on 18 February 1893 in Vienna (today Austria), and was married to [REDACTED], née [REDACTED], in Vienna, owned a Swiss bank account. The Claimant stated that his cousin, who was Jewish, resided in Vienna until 1939. The Claimant did not indicate the fate of his cousin during the time of the Second World War, but did state that his cousin resided in Washington DC, the United States, from 1952 onwards. The Claimant further stated that his cousin died in March 1978. The Claimant indicated that he was born on 26 June 1928 in Pecs, Hungary.

The Claimant submitted documents in support of his claim, including a copy of the declaration made by his cousin pursuant to the decree on 26 April 1938 requiring all Jews who resided within the Reich, or who were nationals of the Reich, including Austria, and who held assets

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<sup>1</sup> The Claimant submitted three additional claims, which are registered under the Claim Numbers 500812, 500813 and 500814. In separate decisions, the CRT denied the Claimant’s claim to the accounts of Margarete Fischer and awarded his claim to the accounts of Fritz May. See *In re Accounts of Margarete Fischer* and *In re Accounts of Fritz May* (approved on 11 April 2005 and 31 December 2005, respectively). The CRT will treat the remaining claim in a separate determination.

<sup>2</sup> The CRT did not locate an account belonging to Friedrich Engel-Janosi or Friedrich Janosi 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”).

above a specified level to register all their assets as of 27 April 1938 (the “1938” Census). This record, numbered 23410, indicates Dr. Friedrich Engel-Janosi’s date of birth, the name of his spouse and street address in Vienna.

### **Information Available in the Bank’s Records**

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Friedrich Engel. The auditors who carried out the investigation to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons (“ICEP” or the “ICEP Investigation”) reported two accounts whose owner’s name matches that provided by the Claimant. Each 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 1009345 and 1009346

The Bank’s records indicate that the Account Owner was Friedrich J. T. Engel, who resided in France. The Bank’s records also indicate the Account Owner’s city of residence in France and the name of an individual whom jointly owned the account at issue, including their city and country of residence. Furthermore, the Bank’s records indicate the dates of opening and closing of the accounts at issue.

### **The CRT’s Analysis**

#### Admissibility of the Claim

The CRT has determined that the claim is admissible according to Article 18 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”).

#### Identification of the Account Owner

The CRT concludes that the Claimant has not identified the Account Owner as his relative. Although the name of his cousin matches 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 Bank’s records. Specifically, the Claimant stated that his cousin resided in Austria and the United States. In contrast, Bank’s records show that the Account Owner resided in France. In addition, the CRT notes that the Claimant identified neither the Account Owner’s city of residence nor the joint account owner, even though this person appears to be closely related to the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant’s relative are the same person

#### 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. 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 his 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  
7 June 2006