

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

## **in re Accounts of Alexander Fürst**

Claim Number: 213115/WT

This Certified Denial is based upon the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the published account of Alexander Fürst (the “Account Owner”) at the Zurich branch of 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.

### **The October 2002 Award**

On 3 October 2002, the Court approved an Award to the Claimant for one demand deposit account held by the Account Owner at the Bank (the “October 2002 Award”). *See In re Account of Alexander Fürst* (approved on 3 October 2002). In the October 2002 Award, the CRT reserved decision with regard to three custody accounts, one demand deposit account, and one safe deposit box also held by the Account Owner at the Bank. This Certified Denial addresses the five accounts upon which decision was reserved in the October 2002 Award.

### **Information Provided by the Claimant**

The Claimant submitted a Claim Form identifying the Account Owner as her maternal grandfather, Akos (Alexander) Fürst, who was born on 31 August 1877 in Debresin, Hungary. The Claimant stated that her grandfather, who was Jewish, was a businessman and a world-champion jockey, who never married. The Claimant stated that her grandfather had one child, [REDACTED] (the Claimant’s mother).

The Claimant stated that her grandfather resided in Vienna, Austria from 1903 to 1906, and subsequently returned to Hungary, but that he retained an address at the *Hotel Post*, located on the Fleischmarkt, in Vienna, until 1938. The Claimant explained that after the incorporation of Austria into the Reich in March 1938 (the “*Anschluss*”), her grandfather arranged to meet his daughter to flee Austria, but that her grandfather never arrived at their meeting point and was never heard from again.

In support of her claim, the Claimant submitted a decision concerning racial classification (*Abstammungsbescheid*) issued by the Director of the Reich Genealogy Office (*Reichssippenamt*) on 12 September 1944 in Berlin, Germany, indicating that [REDACTED] was the daughter of Akos (Alexander) Fürst, who had resided in Vienna. The decision indicates that [REDACTED] was classified as of mixed race (*Mischling*) because her father was Jewish.

The Claimant indicated that she was born on 7 September 1930 in Vienna.

The Claimant previously submitted an Initial Questionnaire (“IQ”) with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Akos (Alexander) Fürst.

### **Information Available in the Bank's Record**

The Bank's record consists of a customer account card. According to this record, the Account Owner was Alexander Fürst, who resided in Vienna, Austria. As indicated in the October 2002 Award, the Bank's record indicates that the Account Owner held one demand deposit account denominated in British Pounds Sterling, which was closed on 20 April 1938. This was the account awarded to the Claimant in the October 2002 Award.

The Bank's record also indicates that the Account Owner held five additional accounts: one demand deposit account which was closed on 10 July 1937, one custody account which was closed on 10 July 1937, one custody account which was closed on 24 September 1937, one custody account which was closed on 25 September 1937, and one safe deposit box which was closed on 25 September 1937. The Bank's record does not indicate the amounts in these accounts on the dates of closure.

### **The CRT's Analysis**

#### Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. The Claimant's grandfather's name and country of residence match the published name and country of residence of the Account Owner. The Claimant identified the Account Owner's city of residence, which matches unpublished information about the Account Owner contained in the Bank's record.

In support of her claim, the Claimant submitted specific biographical information and a decision of the Reich Genealogy Office, providing independent verification that the person who is claimed to be the Account Owner had the same name and resided in the same town recorded in the Bank's record as the name and city of residence of the Account Owner.

### Status of the Account Owner as a Victim of Nazi Persecution

The Claimant has made a plausible showing that the Account Owner was a Victim of Nazi Persecution. The Claimant stated that the Account Owner was Jewish, that he resided in Vienna, and that he disappeared after the *Anschluss*. The Claimant also submitted a decision issued by the Director of the Reich Genealogy Office indicating that Alexander Fürst was Jewish.

### The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting specific biographical information, demonstrating that the Account Owner was the Claimant's grandfather. There is no information to indicate that the Account Owner has other surviving heirs.

### The Issue of Who Received the Proceeds

The October 2002 Award reserved decision pending further consideration by the CRT for the three custody accounts, the demand deposit account which was closed on 10 July 1937, and the safe deposit box. The CRT notes that one custody account was closed on 10 July 1937; one custody account was closed on 24 September 1937; one custody account was closed on 25 September 1937; the demand deposit account was closed on 10 July 1937; and the safe deposit box was closed on 25 September 1937. The CRT notes that the accounts were closed prior to the *Anschluss* in March 1938. Therefore, the CRT concludes that the Account Owner closed these accounts and received the proceeds himself.

### 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.

**Certification of the Denial**

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal  
30 August 2010