

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Emmerich Gal

Claim Number: 209189/AH¹

This Certified Denial is based on the claim of [REDACTED], formerly known as [REDACTED] (the “Claimant”) to the published account of Emmerich Gal and the accounts of [REDACTED], formerly known as [REDACTED], [REDACTED], [REDACTED] and [REDACTED]. The CRT did not locate an account belonging to [REDACTED], [REDACTED], [REDACTED], [REDACTED] or [REDACTED] 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 account of Emmerich Gal (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 asserting that his maternal uncle, Emmerich Gal, who was born in approximately 1890 in Hungary, owned a Swiss bank account. The Claimant indicated that Emmerich Gal was married to [REDACTED], née [REDACTED], the Claimant’s maternal aunt, and was childless. The Claimant further indicated that his uncle was a lawyer, who worked and resided in Debrecen, Hungary. The Claimant further indicated that his uncle, who was Jewish, perished in 1944, during his deportation to a concentration camp. The Claimant indicated that he was born on 16 February 1931 in Debrecen.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by [REDACTED], formerly known as [REDACTED], [REDACTED] and [REDACTED].

¹ 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 209189.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Emmerich Gal. The auditors who carried out the ICEP Investigation reported one account whose owner's name matches 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.

Account 4020410

The Bank's records indicate that the Account Owner was Emmerich Gal, who resided in Hungary. The Bank's records also indicate the Account Owner's city of residence and title and the maiden name of the Account Owner's wife. The Bank's records also indicate the names of individuals who jointly held the account at issue, their titles and addresses, the relationships between them, and their relationships to the Account Owner. Furthermore, the Bank's records indicate the dates of opening and closing of the account 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.

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 maternal uncle matches the published name of the Account Owner, the information provided by the Claimant differs materially from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that his maternal uncle resided in and worked in Debrecen, and that his wife's maiden name was Herskovits. In contrast, the Bank's records show that the Account Owner resided in a different city, located over 200 kilometers away from Debrecen, and that his wife had a different maiden name. In addition, the CRT notes that the Claimant did not identify the Account Owner's title. The CRT further notes that the Claimant did not identify the individuals who jointly held the account at issue, although these persons were related to the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's maternal uncle 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 the Special Master, c/o Claims Resolution Tribunal, P.O. Box 9564, 8036 Zurich, Switzerland.

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 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
18 August 2004