

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of J. Goldberg

Claim Number: 601285/AV; 789679/AV^{1, 2}

This Certified Denial is based on the claims of [REDACTED], née [REDACTED] (the “Claimant”) to accounts of John Stanley Goldberg. This Denial is to the published account of J. Goldberg (the “Account Owner”) at the [REDACTED] (the “Bank”).³

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 to the Holocaust Claims Processing Office (“HCPO”) and an Initial Questionnaire with the Court in 1999, asserting that her brother-in-law’s father, John Stanley Goldberg, who was born between 1866 and 1870 in Braila, Romania, owned a Swiss bank account. The Claimant stated that her relative, who was Jewish, resided in Bucharest, Romania. The Claimant indicated that in September 1939, her relative was killed in Poland on a return trip from Switzerland. The Claimant indicated that she was born on 6 July 1914 in Braila, Romania.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted claims to an account belonging to her relative, John Stanley Goldberg. The auditors who carried out the investigation to identify accounts of Victims

¹ The Claimant submitted a claim, numbered B-00114, on 26 September 1997, 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 601285.

² 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.

³ In this claim, the Claimant also claimed accounts of Davy John Stanley Goldberg and Anna Lucia Goldberg, née Filotti. The CRT will treat the claim to these accounts in separate determinations.

of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons (“ICEP” or 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 1011225

The Bank’s records indicate that the Account Owner was J. Goldberg, who resided in France. The Bank’s records also indicate the Account Owner’s city of residence. Furthermore, the Bank’s records indicate the dates of opening and closing of the account 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 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 her relative. Although the first initial and last name of her brother-in-law’s father match the published first initial and last name of the Account Owner, the information provided by the Claimant differs materially from the published information about the Account Owner available in the Bank’s records. Specifically, the Claimant stated that her relative resided in Romania. In contrast, the Bank’s records show that the Account Owner resided in France. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant’s brother-in-law’s father 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 which 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
31 October 2005