

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

**in re Account of B. Goldstein**

Claim Number: 214721/SB<sup>1,2</sup>

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to an account of Blime (Bluma) Elbogen, née Goldstein. This Denial is to the unpublished account of B. Goldstein (the “Account Owner”), at the [REDACTED] (the “Bank”).<sup>3</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 her grandmother, Blime Elbogen, née Goldstein, who was born 1868 in Austria-Hungary, and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that her grandmother, who was Jewish, resided in Hungary and was the owner of a soda factory. The Claimant further stated that her grandmother was murdered by the Nazis in 1944 in Auschwitz. The Claimant indicated that she was born on 12 October 1924 in Kenece, Hungary.

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<sup>1</sup> The Claimant submitted two additional claims, which are registered under the Claim Numbers 210736 and 214760. The Claimant also submitted a claim, numbered B-01252, on 10 September 1998, 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 601633. In a separate decision, the CRT denied the Claimant’s claim to the account of Simen Jacob. See *In re Account of S. Jacob* (approved on 2 November 2005). The CRT treated the remaining claims in separate determinations.

<sup>2</sup> The Claimant submitted two Initial Questionnaires with the Court in 1999 and Claim Forms to the CRT. The CRT is treating the Initial Questionnaires and the Claim Forms under the consolidated Claim Numbers 210736, 214721, 214760.

<sup>3</sup> The CRT did not locate an account belonging to Blime (Bluma) Elbogen, née Goldstein, 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”).

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Bluma Elbogen, née Goldstein.

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

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Blime Goldstein. 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 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 1009732

The Bank's records indicate that the Account Owner was B. Goldstein. The Bank's records also indicate the Account Owner's city and country of residence and the name of three individuals who jointly owned the account at issue. Furthermore, the Bank's records indicate the date of opening 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 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 name of her grandmother matches the unpublished first name initial and last 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 her grandmother resided in Hungary. In contrast, the Bank's records show that the Account Owner resided in another country, which the Claimant did not identify. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandmother 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  
3 March 2006