

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Paul Galambos

in re Account of Benno Goldstein

Claim Number: 214038/RS¹

This Certified Denial is based on the claim of Paul Galambos (the “Claimant”) to the published account of Benno Goldstein at the [REDACTED] (the “Bank”).

All denials are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form asserting that his father’s uncle, Benno Goldstein, who was Jewish, and who resided in Germany, owned a Swiss bank account. The Claimant indicated that Benno Goldstein was married to Margarete Goldstein, and that the couple had three children, including a child named Vally Goldstein. The Claimant did not provide further details regarding the life of his relative.

The CRT further notes that the Claimant provides no documentary proof of any family member residing in Germany, whereas the Claimant does provide numerous documents which show that his family resided in Hungary. Further, in his Initial Questionnaire (“IQ”), submitted to the Court in 1999, and his ATAG Ernst & Young claim form, submitted in 1998, the Claimant repeatedly stated that his family resided in Hungary and did not indicate any connection to Germany.

The Claimant indicated that he was born on 4 May 1947 in Mosonmagyaróvár, Hungary.

¹ The Claimant submitted twelve additional claims, which are registered under the Claim Numbers 213835, 213836, 213837, 213838, 213839, 213910, 213911, 213912, 214028, 214029, 214037, and 214039. The CRT will treat these claims in separate determinations. The Claimant should note that this determination relates only to the Claim Number and Claimed Account Owners stated above, and that the CRT is aware that the Claimant submitted other claims.

Information Available in the Bank's Record

The CRT notes that the Claimant submitted a claim to an account belonging to his relative Benno Goldstein, who resided in Germany. 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.

Account 5024397

The Bank's record indicates that the owner of all the account was Benno Goldstein, and that the power of attorney holder was Vally Goldstein.² The Bank's record indicates that Benno Goldstein resided in Eisleben, Germany. The record also indicates the name of a company with which Benno Goldstein was associated; the type of familial relationship between Benno and Vally Goldstein; and Vally Goldstein's maiden name, which was not Goldstein.

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. Specifically, the Claimant claimed the published account of Benno Goldstein, who resided in Germany; however, the Claimant was unable to establish any link between his family and Germany. The CRT notes that the Claimant did not provide any supporting evidence to show that he had family residing in Germany prior to and during the Second World War, and in his IQ and ATAG Ernst & Young claim form, consistently indicated that his family resided in Hungary. In addition, the CRT notes that the Claimant did not identify the account owner's city of residence in Germany; that he did not correctly identify the nature of the familial relationship between Benno Goldstein and Vally Goldstein; that he did not identify the name of the company with which Benno Goldstein was associated; and that he did not correctly identify Vally Goldstein's maiden name.

Accordingly, the CRT concludes that the Claimant has not identified the account owner as his relative.

² The CRT notes that this account was published on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons ("ICEP") to be probably or possibly those of Victims of Nazi Persecution (the "ICEP List") as "Goldstein, Benno [Eisleben, Germany], *Goldstein, Vally* [italics indicating the name of the power of attorney holder]."

Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of 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.

Scope of the Denial

The CRT now considers the Claimant's claim to the account of Benno Goldstein closed. Please note that this decision applies only to the Claim Number and Claimed Account Owner identified herein, and that the CRT is aware that the Claimant may have claimed accounts held by other persons or entities both in the Claim Number specified above and in other claims submitted to the CRT.

Certification of the Denial

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal
24 May 2009