

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Josef Goldstein

Claim Number: 003944/AY

This Certified Denial is based upon the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the published account of Josef Goldstein (the “Account Owner”) at the Zurich branch of the [REDACTED] (the “Bank”).¹

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 identifying the Account Owner as her father, Josef Stein-Goldstein, who was born on 9 April 1903 in Iasi, Romania. The Claimant indicated that her father’s parents’ last name was Stein-Goldstein and that due to the poor registration services of the Romanian authorities, some of her father’s siblings were registered as Goldstein and others as Stein. The Claimant stated that her father used both names, but for the most part went by the name Goldstein. The Claimant indicated that her father, who was Jewish, resided in Iasi and that from 1935 to 1941 he was the co-owner of a soap factory, located on Uzinea Street in Iasi. The Claimant stated that her father’s first wife, [REDACTED], was murdered in a pogrom in Iasi on 29 June 1941 and that he was driven away in that year from his soap factory by his non-Jewish partner. The Claimant further stated that her family’s home was looted while they were hiding in the basement, and that her father was imprisoned and later released, thanks to a bribe paid by his father. According to the Claimant, at that time, her father had two children: [REDACTED], who was born on 31 August 1929 in Iasi and died on 24 June 1953 in Zikim, Israel, and [REDACTED], née [REDACTED], who was born on 20 October 1933 in Iasi. The Claimant indicated that her father married his second wife, [REDACTED], née [REDACTED], in October 1941 in Iasi and that they had two children together: the Claimant, who was born on 30 November 1942 in Iasi, and [REDACTED], née [REDACTED], who was born there on 5 July 1946. The Claimant stated that her father resided in Romania until 1959, when he emigrated to

¹ The CRT notes that, 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”), Josef Goldstein is indicated as having one account. Upon careful review, the CRT has concluded that the Bank’s record evidences the existence of two accounts.

Israel, and that he passed away in Ramat Hasharon, Israel, on 30 September 1960. In support of her claim, the Claimant submitted copies of her father's Romanian identification card containing his name Josef Stein, his photograph and his signature; a postcard sent to her by her father, and an inheritance order from the Probate Court in Tel Aviv, indicating that the Claimant is the daughter of Josef Stein and one of his heirs.

Information Available in the Bank's Record

The Bank's record consists of a customer card. According to this record, the Account Owner was *Dir.* (Director) Josef Goldstein, who resided in Iasi, Romania. The Bank's record indicates that the Account Owner held one demand deposit account in Pounds Sterling and one demand deposit account in Swiss Francs. The Bank's record shows that the demand deposit account in Pounds Sterling was closed on 31 March 1938 and that the demand deposit account in Swiss Francs was closed on 30 April 1939. The amounts in the accounts on the date of their closure are not known.

The CRT's Analysis

Identification of the Account Owner

The Claimant's father's name matches the published name of the Account Owner. The Claimant stated that her father resided in Romania, which matches published information about the Account Owner contained in the Bank's record. The Claimant identified her father's city of residence, which matches unpublished information contained in the Bank's record. The Claimant also indicated that her father was the co-owner of a soap factory, which is consistent with the unpublished title of the Account Owner. In support of her claim, the Claimant submitted copies of her father's Romanian identification card, providing independent verification that the person who is claimed be the Account Owner had the same name and resided in the same country recorded in the Bank's record as the name and county of residence of the Account Owner. Furthermore, the CRT notes that the other claims to these accounts were disconfirmed because those claimants provided a different city or country of residence than the city or country 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 his first spouse was murdered in a pogrom in 1941, that he was driven away in that year from his soap factory by his non-Jewish partner, that his home was looted while the family was hiding in the basement, and that he was imprisoned.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting specific information and documents, demonstrating that the Account Owner was the Claimant's father. These documents include an inheritance order from the Probate Court in Tel Aviv, indicating that the Claimant is the daughter of Josef Stein and one of his heirs.

The Issue of Who Received the Proceeds

The Bank's record indicates that the demand deposit account in Pounds Sterling was closed on 31 March 1938 and that the demand deposit account in Swiss Francs was closed on 30 April 1939, which the CRT notes is prior to Romania's signing of the Tripartite Agreement, which formalized its alliance with Nazi Germany, on 20 November 1940. Therefore, the CRT determines that the Account Owner was able to access these accounts, and concludes that the Account Owner received the proceeds of the claimed accounts himself.

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. 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, pursuant to Article 20 of the Rules, the CRT will carry out further research on her claim to determine whether there are additional Swiss bank accounts to which she might be entitled, including research of the Total Accounts Database (consisting of records of 4.1 million Swiss bank accounts which existed between 1933 and 1945).

Certification of the Denial

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal
18 August 2004