

CLAIMS RESOLUTION TRIBUNAL

Account was awarded to cl 220719. Released

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

Certified Denial

to Claimant [REDACTED]
represented by [REDACTED]

in re Account of Elisabeth Grosz¹

Claim Number: 203555/ES/AH²

This Certified Denial is based on the claim of [REDACTED] (or [REDACTED]), née [REDACTED], (the “Claimant”) to the account of Jelislava also known as Elisabeth (or Elisabeta or Erzi) Gross, née Zeisler.³ The CRT did not locate an account belonging to Jelislava or Elisabeth or Elisabeta or Erzi Gross or Jelislava or Elisabeth or Elisabeta or Erzi Zeisler 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 Elisabeth Grosz (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 her mother, Jelislava also known as Elisabeth (or Elisabeta or Erzi) Gross, née Zeisler, owned a Swiss bank account. The Claimant stated that her mother resided in Zagreb, Yugoslavia, and was married to [REDACTED]. The Claimant indicated that her mother, who was Jewish, perished in a concentration camp, and that

¹ In an effort to locate any and all accounts that might have belonged to the Claimant’s relative, the CRT has reviewed and analyzed all accounts whose owners’ names are substantially similar to that of the Claimant’s relative, even if the Claimant did not specifically claim that particular account. The CRT recognizes that, in many cases, spellings of names have changed due to the passage of time in the decades since the Second World War, as well as due to the transcription of names into different languages.

² The Claimant submitted two Initial Questionnaires 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 203555.

³ In this claim, the Claimant also claimed an account of herself. The CRT will treat the claim to this account in a separate decision.

before her deportation she told the Claimant of the family's Swiss bank account. The Claimant indicated that she was born on 10 February 1925 in Zagreb.

The Claimant previously submitted two Initial Questionnaires with the Court in 1999, asserting her entitlement to a Swiss bank account owned by herself and by her mother.

The Claimant submitted the following document in support of her application including extracts from the Yugoslavian register of births, demonstrating that Elisabeth Gross, née Zeisler, was her mother.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Jelislava also known as Elisabeth (or Elisabeta or Erzi) Gross, née Zeisler. The auditors who carried out the ICEP Investigation reported one account whose owner's name is substantially similar to 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 4020022

The Bank's records indicate that the Account Owner was Elisabeth Grosz-Donath, who resided in Romania. The Bank's records also indicate the Account Owner's city of residence, as well as the name and profession of an individual who jointly held the account at issue and who appears to be closely related to the Account Owner.

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 her relative. Although the name of her mother is substantially similar to the published name of the Account Owner, the information provided by the Claimant differs materially from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her mother resided in Yugoslavia. In contrast, the Bank's records show that the Account Owner resided in Romania. The Claimant stated that her mother's last name was Gross and her maiden name was Zeisler. In contrast the Bank's records show that the Account Owner had the additional last name Donath, which was not identified by the Claimant. Moreover, the Claimant did not identify the name of the individual who jointly held the account at issue although this person appears to be closely related to the Account Owner. Consequently,

the CRT is unable to conclude that the Account Owner and the Claimant's mother are the same person. Moreover, it should be noted that the CRT has determined that another claimant has plausibly identified the Account Owner as his relative. All decisions are published upon release on the CRT's website at www.crt-ii.org.

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 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
13 October 2004