

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Helene Grosz

Claim Number: 500142/MW

This Certified Denial is based upon the claim of [REDACTED] (the “Claimant”) to the published accounts of Helene Grosz (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 his paternal great-aunt, Helene Grosz, who was born in the late 1870s in Hungary, and was married to [REDACTED]. The Claimant stated that his great-aunt, who was Jewish, lived in Arad, Hungary (now Romania), and that his great-aunt moved to Israel in the late 1940s. The Claimant further stated that his great-aunt, who had no children, had substantial real estate holdings, that she held assets in Swiss bank accounts, and that the Nazis confiscated her assets. The Claimant indicated that Helene Grosz died in Israel in the 1950s. The Claimant submitted a translation of his parents' Romanian marriage certificate, issued in Oradea, Romania, which indicates that the Claimant's father, [REDACTED], resided in Cluj, Romania, and that the Claimant's grandfather's name was [REDACTED]; and a family tree, in which the Claimant indicated that [REDACTED] was Helene Grosz's father. The Claimant indicated that he was born on 28 December 1927 in Cluj.

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”), Helene Grosz is indicated as the owner of two accounts. Upon careful review, the CRT has concluded that the Bank's record indicates that Helene Grosz owned five accounts, namely two custody accounts and three demand deposit accounts.

Information Available in the Bank's Record

The Bank's record consists of a customer card. According to this record, the Account Owner was *Frau* (Mrs.) Helene Grosz of Arad and Budapest, Hungary. The Bank's record indicates that Helene Grosz held three demand deposit accounts and two custody accounts, numbered 3007 and 4174.² The Bank's record further indicates that one of the demand deposit accounts was closed on 26 August 1938, that the two other demand deposit accounts were closed on 30 September 1939, and that the custody account, numbered 4174, was closed on 20 September 1938. The amounts in these accounts on their dates of closure are unknown.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. His great-aunt's name and country of residence match the published name and country of residence of the Account Owner. The Claimant identified the Account Owner's city of residence, which matches unpublished information about the Account Owner contained in the Bank's record. The CRT notes that the Claimant was previously awarded the accounts of Helene Grosz and Josef Grosz, based on, *inter alia*, the Claimant's identification of Josef Grosz, his great-aunt's husband, which matched unpublished information contained in the Bank's record. The CRT notes that there are no other claims to these accounts.

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 and that her assets were confiscated by the Nazi regime.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is related to the Account Owner by submitting specific information, demonstrating that the Account Owner was the Claimant's paternal great-aunt. The CRT notes that the Claimant identified unpublished information about the Account Owner as contained in the Bank's record, which supports the plausibility that he is related to the Account Owner, as he has asserted in his Claim Form. The CRT further notes that the Claimant submitted a translation of his parent's Romanian marriage certificate, issued in Oradea, Romania, which indicates that the Claimant's father, [REDACTED], resided in Cluj, Romania, which provides independent verification that the Claimant's relatives bore the family name Grosz and that they resided in the same region of Hungary (presently Romania) as the Account Owner. There is no information to indicate that the Account Owner has other surviving heirs.

² The CRT notes that the custody account numbered 3007 was previously awarded to the Claimant. See *In re Account of Helene and Josef Grosz* (approved 30 September 2003).

The Issue of Who Received the Proceeds

The CRT notes that one of the demand deposit accounts was closed on 26 August 1938, that the two other demand deposit accounts were closed on 30 September 1939, and that the custody account, numbered 4174, was closed on 20 September 1938. The CRT notes further that these accounts were all closed before Hungary's formal alliance with Nazi Germany, which took place on 20 November 1940. Accordingly, the CRT determines that the Account Owner was able to access these accounts and concludes that the Account Owner closed these accounts herself and received the proceeds.

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 his claim to determine whether there are additional Swiss bank accounts to which he 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
13 October 2004