

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Pavla Matysova
also acting on behalf of Jan Klaus and Robert Klaus

in re Accounts of Moritz Grünhut and Account of Mathilde Grünhut

Claim Number: 401653/MG

This Certified Denial is based on the claim of Pavla Bozena Stepanka Matysova, née Klausova, (the “Claimant”) to the published accounts of Moritz Grünhut (“Account Owner 1”) at the [REDACTED] (“Bank 1”) and the published account of Mathilde Grünhut (“Account Owner 2”) at the [REDACTED] (“Bank 2”).

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 in 2005, asserting that her paternal great-great-grandmother’s brother, Moritz Grünhut, and his wife, Mathilde Grünhut, owned a Swiss bank account. The Claimant did not provide any further details about her relatives, however she submitted various documents indicating that her family resided in what was Czechoslovakia. According to the Claimant, her relatives were Jewish. The Claimant indicated that she was born on 3 November 1946 in Prague, today the Czech Republic.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to accounts belonging to her relatives, Moritz Grünhut and Mathilde Grünhut. 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 six accounts whose owner’s name matches that provided by the Claimant. In addition, documents evidencing an account belonging to Mathilde Grünhut were obtained from the Swiss Federal Archive in Bern, Switzerland, and pertain to accounts reported in a survey conducted pursuant to Swiss Federal legislation requiring the registration of assets dormant since 9 May 1945 held in Switzerland by foreigners or stateless persons known or presumed to have been victims of racial,

religious or political persecution (the "1962 Survey"). Each account is identified below by its Account Identification Number, which is a number assigned to the account for tracking purposes.

Accounts 1009977, 1009978, 1009979, 1009980, 1009981 and 1009982

Bank 1's records indicate that Account Owner 1 was Moritz Grünhut. Bank 1's records also indicate Account Owner 1's cities and countries of residence. Furthermore, Bank 1's records indicate the dates of closing of the accounts at issue.

Account 6001709

Bank 2's records indicate that Account Owner 2 was Mathilde Grünhut. Bank 2's records also indicate Account Owner 2's street address, city and country of residence. Furthermore, Bank 2's records indicate the name of a power of attorney holder.

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 Owners

As for Accounts 1009977, 1009978, 1009979, 1009980, 1009981 and 1009982, the CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Although the name of her relative matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the unpublished information about Account Owner 1 available in Bank 1's records. Specifically, according to the Claimant, her family resided in Czechoslovakia. In contrast, Bank 1's records show that Account Owner 1 resided in other countries, to which the Claimant established no connection. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's relative are the same person.

As for Account 6001709, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the name of her relative matches the published name of Account Owner 2, the information provided by the Claimant differs materially from the unpublished information about Account Owner 2 available in Bank 2's records. Specifically, according to the Claimant, her family resided in Czechoslovakia. In contrast, Bank 2's records show that Account Owner 2 resided in a city in another country, to which the Claimant established no connection. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's relative are the same person.

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 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
23 March 2007