

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant Miriam Rottenberg

**in re Account of F. Grunwald**

Claim Numbers: 150082/MG; 724282/MG<sup>1,2</sup>

This Certified Denial is based on the claims of Miriam Rottenberg, née Grunwald, (the “Claimant”) to an account of Ferdinand Grunwald.<sup>3</sup> This Denial is to the published account of F. Grunwald (the “Account Owner”) 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 and an Initial Questionnaire, asserting that her father, Ferdinand Naftaly Grunwald, who was born on 25 October 1905, and was married to Terezia Yokel, owned a Swiss bank account. The Claimant stated that her father, who was Jewish, resided in Myjava, today Slovakia, until 1944, when he was deported to the concentration camps Sered and Thresienstadt. According to the Claimant her father survived the Holocaust and died on 15 January 1988 in Israel. The Claimant indicated that she was born in 1942 in Nitra, today Slovakia.

### **Information Available in the Bank’s Records**

The CRT notes that the Claimant submitted a claim to an account belonging to her father, Ferdinand Grunwald. 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

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<sup>1</sup> The Claimant submitted one additional claim and two additional initial questionnaires, which are registered under the Claim Numbers 212851, 723926 and 754165. The CRT will treat these claims in separate determinations.

<sup>2</sup> According to Article 37 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the two claims of the Claimant in one proceeding.

<sup>3</sup> In these claims, the Claimant also claimed the account of Terezia Grunwald. The CRT will treat the claim to this account in a separate determination.

matches 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 1001192

The Bank's records indicate that the Account Owner was F. Grunwald. The Bank's records also indicate the Account Owner's full first name and the name of a joint 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 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 her relative. Although the name of her father matches the published first name initial and last name of the Account Owner, the information provided by the Claimant differs materially from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her father's first name is Ferdinand. In contrast, the Bank's records show that the Account Owner had a different first name. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father 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  
19 March 2007