

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED 1]
represented by Elisheva Ansbacher

and to Claimant [REDACTED 2],
also acting on behalf of [REDACTED 3],
represented by [REDACTED]

in re Accounts of Jean (János) Halápi

Claim Numbers: 211427/RS; 300042/RS;¹ 300043/RS; 730776/RS; 732963/RS

This Certified Denial is based upon the claims of [REDACTED 1] (“Claimant [REDACTED 1]”) to the accounts of Jean (János) Halápi and Oszkár Halápi; and the claims of [REDACTED 2], née [REDACTED], (“Claimant [REDACTED 2]”) (together the “Claimants”) to the accounts of Paul (Pál) Fürszt (Fürst).² This Denial is to the published accounts of Jean (János) Halápi (the “Account Owner”), over which *Mme.* (Mrs.) Oszkár Halápi (“Power of Attorney Holder Mrs. Oszkár Halápi”), *M.* (Mr.) Paul (Pál) Fürszt (“Power of Attorney Holder Paul Fürszt”), and *Mme.* Carla Fürszt (“Power of Attorney Holder Carla Fürszt”) held power of attorney, at the Lausanne branch of the [REDACTED] (the “Bank”).³

¹ In addition to her claim forms, [REDACTED 1] (“Claimant [REDACTED 1]”) submitted three Initial Questionnaires (“IQs”), numbered HUN 0138 016, HUN 0138 017, and HUN 0138 018 to the Court in the United States. Although these IQs were not Claim Forms, the Court, in an Order signed on 30 July 2001, ordered that those IQs which can be processed as claim forms be treated as timely claims. Order Concerning Use of Initial Questionnaire Responses as Claim Forms in the Claims Resolution Process for Deposited Assets (July 30, 2001). The IQs were forwarded to the CRT and have been assigned claim numbers 732960, 732961, and 732962, respectively. In a separate decisions released 30 October 2007 and 23 January 2008, the CRT treated Claimant [REDACTED 1]’s claims to the accounts of Zsigmondné Felbermann, Istvánné Gresz, Zsigmond Felbermann, and Sára Felbermann.

² The CRT did not locate an account belonging to Oszkár Halápi 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”).

³ The CRT notes that, on the February 2001 published list of accounts determined by ICEP to be probably or possibly those of Victims of Nazi Persecution (the “ICEP list”), Janos Halapi (AKA Halapi, Jean) is indicated as having three accounts, and Jean Halapi (AKA Halapi, Janos) is indicated as having three accounts, and *Mme.* Carla Fürszt and Paul Fürszt are indicated as holding power of attorney over all of those accounts. Upon careful review, the CRT has concluded that the Bank’s records indicate that *M. Dr.* Jean (János) Halápi held one account, and his Estate held three accounts at the Bank. The CRT has also concluded that the Bank’s records indicate that there were three, and not two, power of attorney holders over at least one of those accounts: *Mme.* Oszkár Halápi, *Mme.* Carla Fürszt and *M.* Paul Fürszt.

All denials are published, but where a claimant has requested confidentiality, as in this case, the names of the claimants, any relatives of the claimants other than the account owner, and the bank have been redacted.

Information Provided by the Claimants

Claimant [REDACTED 1]

Claimant [REDACTED 1] submitted a Claim Form and an Initial Questionnaire (“IQ”) identifying the Account Owner as her mother’s cousin, Dr. János Halápi; Power of Attorney Holder Mrs. Oszkár Halápi as Dr. János Halápi’s mother and Oszkár Halápi’s wife, Olga (Oszkárné) Halápi, née Steinitz; and Power of Attorney Holder Paul Fürszt as a friend of Dr. János Halápi, Pál (Paul) Fürszt (Furzt), who had connections with Switzerland.

Claimant [REDACTED 1] stated that János Halápi, who was Jewish, was born in Hungary as the son of [REDACTED], who was the brother of Claimant [REDACTED 1]’s maternal grandfather, [REDACTED]. According to Claimant [REDACTED 1], János Halápi was an agronomist and landowner, who, together with his father, owned the company *Halápi Major* in Budapest. Claimant [REDACTED 1] stated that Dr. János Halápi married [REDACTED] in 1939 in Budapest, and the couple did not have children.

According to Claimant [REDACTED 1], Dr. János Halápi perished in 1945 in Mauthausen concentration camp.

In support of her claim, Claimant [REDACTED 1] submitted copies of documents, including:

- (1) her own Hungarian identification card, indicating that [REDACTED 1]’s date of birth was 7 April 1928, and that her mother was [REDACTED];
- (2) her own birth certificate, indicating that [REDACTED 1] was born on 7 April 1928 in Debrecen, Hungary, and that her mother was [REDACTED] and her father was [REDACTED];
- (3) a certificate of inheritance regarding the estate of [REDACTED], indicating that he was the son of [REDACTED], and that his sole heir was [REDACTED 1], whose mother was [REDACTED];
- (4) a court-issued 1950 certificate of inheritance regarding the estate of [REDACTED], indicating that the distribution of her estate would change if her son, János Halápi, returned alive prior to 1951, and indicating that the court had not yet ruled on whether János Halápi could be declared deceased;
- (5) the death certificate of [REDACTED], indicating that he died at age 71 in Budapest on 5 April 1945, that his mother’s name was [REDACTED], and that his wife’s name was [REDACTED];
- (6) the death certificate of [REDACTED], née [REDACTED], indicating that she died on 3 December 1948 in Budapest;

- (7) a 2001 Hungarian court-certified document indicating that according to Hungarian archive material, Dr. János Halápi was declared deceased on an unknown date, but that no other information regarding the circumstances existed in the archives;
- (8) the last will of [REDACTED], née [REDACTED], dated July 1948, indicating that she had had a son named [REDACTED] and a daughter named [REDACTED], now known as [REDACTED]; that her son Dr. János Halápi had been deported by the Germans during the Second World War and had disappeared, and that he would be her principal heir if he returned to Hungary by 1 January 1951; indicating that she bequeathed a one-sixth share of a house in Budapest to her granddaughter, [REDACTED]'s daughter [REDACTED]; and further indicating that [REDACTED] was her brother-in-law; and
- (9) her own 1960 certificate of name change, indicating that [REDACTED 1] would henceforth be known as [REDACTED 1].

Claimant [REDACTED 1] indicated that she was born on 7 April 1928 in Debrecen, Hungary.

Claimant [REDACTED 2]

Claimant [REDACTED 2] submitted a Claim Form and an IQ identifying Power of Attorney Holder Paul Fürszt as her step-father, Paul (Pál) Fürszt (Fürst), and Power of Attorney Holder Carla Fürszt as her step-father's first wife, Carla Fürszt, née Kertesz, both of whom were Jewish. Claimant [REDACTED 2] indicated that Paul Fürszt was born on 31 May 1891, and that he resided in Budapest prior to the Second World War. Claimant [REDACTED 2] stated that Paul Fürszt married Carla Fürszt, née Kertesz, in approximately 1925; the couple did not have any children.

According to Claimant [REDACTED 2], Paul Fürszt was a farmer and land owner who grew herbs that were used for medical purposes. Claimant [REDACTED 2] indicated that between approximately 1925 and 1939, Paul Fürszt and János Halápi were business partners; János Halápi owned an "agro-marketing business" which sold Paul Fürszt's herbal products to drug companies in Switzerland. Claimant [REDACTED 2] also stated that Carla Fürszt and János Halápi were also related, but that she was not exactly sure of the familial relationship between the two.

According to Claimant [REDACTED 2], János Halápi, who traveled often to Switzerland for business purposes, opened bank accounts in Switzerland in his name that contained assets belonging both to himself, and to Paul Fürszt and his wife Carla Fürszt. Claimant [REDACTED 2] indicated that these accounts included cash accounts and a safe deposit box that contained primarily jewelry.

Claimant [REDACTED 2] stated that Paul Fürszt and Carla Fürszt, as well as János Halápi, were all imprisoned in the Budapest ghetto in 1944 through 1945, and that during their imprisonment, all three were interrogated regarding their ownership of assets. Claimant [REDACTED 2] indicated that János Halápi vanished from the Budapest ghetto in 1944. Claimant [REDACTED 2] also indicated that Carla Fürszt survived her imprisonment, but that she was very ill upon her release. Claimant [REDACTED 2] stated that Carla Fürszt died in 1948, and that Paul Fürszt

remarried on 17 November 1953, when he married [REDACTED], Claimant [REDACTED 2]'s mother.

Claimant [REDACTED 2] further indicated that following the Second World War, Paul Fürszt, as a former landowner, was considered an enemy of the Communist State, and was extensively prosecuted; as such, he was unable to obtain travel documents to travel to Switzerland to retrieve the assets that János Halápi had deposited there. Claimant [REDACTED 2] also stated that Paul Fürszt was interned at a camp near Szeged, Hungary, in 1950.

Claimant [REDACTED 2] stated that Paul Fürszt often spoke of the assets that he held in Switzerland, and that in 1970, a relative contacted the bank at which Paul Fürszt stated that he had held assets in an attempt to locate the assets. Claimant [REDACTED 2] stated that that bank indicated that it did not hold any accounts under the names Halápi or Fürszt.

Claimant [REDACTED 2] indicated that Paul Fürszt died on 15 January 1975.

In support of her claim, Claimant [REDACTED 2] submitted copies of documents, including:

- (1) the marriage certificate of Pál Fürst and [REDACTED], indicating that Pál Fürst was born on 31 May 1891 in Budapest, that he was a herb farmer, and that he was a widower at the time of his marriage to [REDACTED] on 17 November 1953;
- (2) the death certificate of Pál Fürst, indicating that he was born on 31 May 1891 in Budapest, and that he died on 15 January 1975 in Szeged, Hungary;
- (3) the certificate of burial of Pál Fürst and [REDACTED], née [REDACTED], indicating that they were buried in a Jewish cemetery on 19 January 1975;
- (4) her own birth certificate, indicating that [REDACTED] was born on 2 February 1929, and that she was the daughter of [REDACTED] and [REDACTED]; and
- (5) a probate decision regarding the estate of [REDACTED], indicating that her heir was her son [REDACTED 3].

Claimant [REDACTED 2] indicated that she was born on 2 February 1929 in Szeged, Hungary. Claimant [REDACTED 2] is representing her nephew, [REDACTED 3], who was born on 4 August 1949 in Subotica, Yugoslavia (today Serbia).

Information Available in the Bank's Records

The Bank's records consist of a safe deposit box rental form; a letter from the Bank to the Account Owner; and two notes to file prepared by the Bank's Legal Department. According to these records, the Account Owner was *M. (Mr.) Dr. Jean (János) Halápi*, and the Power of Attorney Holders were *Mme. (Mrs.) Oszkár Halápi*, *M. Paul (Pál) Fürszt*, and *Mme. Carla Fürszt*. The Bank's records indicate that the Account Owner provided the Bank with an address of *Hôtel de la Paix*, Lausanne, Switzerland.

Pursuant to Article 6 of the Rules, the CRT requested the voluntary assistance of the Bank to obtain additional information about these accounts (“Voluntary Assistance”). The Bank provided the CRT with an additional document, namely a customer card.

The Bank's records indicate that the Account Owner held a safe deposit box, which was numbered 1105; and that the Account Owner's Estate held a safe deposit box numbered 1139, a demand deposit account, and a custody account numbered 22856. The Bank's records do not indicate the value of any of these accounts.

The Bank's records indicate that on 1 March 1939, the Account Owner opened a safe deposit box numbered 1105 at the Bank, and that on that date, he paid the rental fees for the safe for a two year period.

The Bank's records also include a letter dated 12 March 1941 from the Bank to *Monsieur le Docteur* (Dr.) J. Halapi, care of the *Hôtel de la Paix*, Lausanne. In the letter, the Bank informed the Account Owner that his rental of safe deposit box 1105 had expired on 1 March 1941, and that the Bank would appreciate the Account Owner paying the annual rental fee of 21.00 Swiss Francs (“SF”) for the rental period 1 March 1941 through 1 March 1942. The Bank's records also include an envelope with the date stamp 12 March 1941, and an additional stamp reading “*Grand Hôtel de la Paix, Lausanne,*” with both a handwritten notation and a stamp stating that the envelope was not claimed by the recipient.

The Bank's records further contain a notation indicating that on 9 May 1947, *M. André Richter* met with *M. Favre* of the Bank, and informed him that the Account Owner had perished in a concentration camp.

The Bank's records also contain a note indicating that on 31 January 1949, *Mlle.* (Miss) [REDACTED] of Budapest, who was staying in Zurich at the time, visited the Bank. The notation further indicates that [REDACTED] would forward a certificate of inheritance to the Bank.⁴

The Bank's records contain a note to file prepared on 21 February 1949 by the Bank's Legal Department. The note indicates that the Legal Department mandated that no information about safe deposit box number 1105 in the name of Jean (János) Halapi should be given out, and no person should be granted access to that safe deposit box, without first consulting the Legal Department.

The reverse side of that note to file indicates that on 7 March 1949, that safe was opened by a representative of the Bank in the presence of *Mlle.* [REDACTED]. The notation further indicates that a report of the procedure was kept on file with another representative of the Bank. The Bank's records also indicate that on the same date in 1949, safe numbered 1105 was closed by the Bank, and another safe deposit box, numbered 1139, was opened.

The Bank's records indicate that the Account Owner's safe deposit box numbered 1139 was physically opened on 16 October 1952, and that a new lock was placed on the safe. A notation

⁴ The actual text of this notation reads, in French: *31/1/49 Visite de Mlle. [REDACTED] de Budapest (actuellement à Zurich). Elle fera venir un certificat d'héritier.*

in the Bank's records indicates that an inventory of the safe's contents was made at that time, and that the Bank's Legal Department kept a copy of that inventory. The customer card received from the Bank indicates that on the same day, 16 October 1952, a demand deposit account and a custody account numbered 22856, both in the name of the 'Estate of Dr. Jean (János) Halapi,' were opened.

A second note to file written by the Bank's Legal Department on 18 October 1952 states that no deductions or other withdrawals from safe deposit box numbered 1139, custody account 22856, or the demand deposit account, all of which were in the name of the 'Estate of M. Janos Halapi,' should be made without first consulting the Bank's Legal Department.

The Bank's records also indicate that rental fees for the safe deposit box numbered 1139 were charged for the one-year terms 1 March 1953 through 1 March 1954, 1 March 1954 through 1 March 1955, and 1 March 1955 through 1 March 1956. A note on the rental form for the safe states that the rental fees should be debited from the related demand deposit account, according to instructions from the Bank's "control" department.

The Bank's records indicate, finally, that on 27 February 1956, custody account 22856 in the name of the 'Estate of Dr. Jean (Janos) Halapi' was closed; that on 29 February 1956, the demand deposit account in the name of that estate was closed; and that on 16 March 1956, the safe deposit box numbered 1139 was closed. The Bank's records further indicate that on 16 March 1956, the contents of safe numbered 1139 were "returned" (*rendu*).

The amounts in the accounts, and the contents of the safe deposit boxes numbered 1105 and 1139, on the date of their closure is unknown.

The CRT's Analysis

Joinder of Claims

According to Article 37(1) 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 five claims of the Claimants in one proceeding.

Identification of the Account Owner

Claimant [REDACTED 1] has plausibly identified the Account Owner. Claimant [REDACTED 1]'s maternal grandfather's brother's son's name matches the published name of the Account Owner; and her grandfather's brother's son's friend or business partner's name matches the published name of Power of Attorney Holder Paul Fürszt. Claimant [REDACTED 1] also identified the Account Owner's professional title, and the name of Power of Attorney Holder Mrs. Oszkár Halápi, which matches unpublished information about the Account Owner contained in the Bank's records.

Claimant [REDACTED 2] has plausibly identified the Account Owner, Power of Attorney Holder Paul Fürszt, and Power of Attorney Holder Carla Fürszt. Claimant [REDACTED 2]'s stepfather's business partner's name matches the published name of the Account Owner; her stepfather's name matches the published name of Power of Attorney Holder Paul Fürszt; and her stepfather's first wife's name matches the published name of Power of Attorney Holder Carla Fürszt.

In support of her claim, Claimant [REDACTED 1] submitted documents, including a certificate of inheritance regarding the estate of Oszkárne Halápi, a court-certified document indicating that Dr. János Halápi was declared deceased, and the last will of Oszkárne Halápi, providing independent verification that the person who is claimed to be the Account Owner had the same name recorded in the Bank's records as the name of the Account Owner.

Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a person named Dr. János Halápi, and indicates that his place of birth and place of residence prior to the Second World War was Budapest, Hungary, and also indicates that his mother was [REDACTED], which matches the information about the Account Owner provided by the Claimants. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel.

The CRT notes that Claimant [REDACTED 1] filed an IQ with the Court in 1999, asserting her entitlement to Swiss bank accounts owned by Oszkár Halápi and his wife, and by János Halápi, prior to the publication in February 2001 of the 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"). This indicates that Claimant [REDACTED 1] has based her present claim not simply on the fact that an individual identified on the ICEP List as owning a Swiss bank account bears the same name as her relative, but rather on a direct family relationship that was known to her before the publication of the ICEP List. It also indicates that Claimant [REDACTED 1] had reason to believe that her relative owned a Swiss bank account prior to the publication of the ICEP List. This supports the credibility of the information provided by Claimant [REDACTED 1].

The CRT notes that there are no other claims to these accounts. Taking all of these factors into account, the CRT concludes that the Claimants have plausibly identified the Account Owner.

Status of the Account Owner as a Victim of Nazi Persecution

The Claimants have made a plausible showing that the Account Owner was a Victim of Nazi Persecution. The Claimants stated that the Account Owner was Jewish. Claimant [REDACTED 2] indicated that the Account Owner was imprisoned in the Budapest ghetto between 1944 and 1945, and that he disappeared from the ghetto; Claimant [REDACTED 1] indicated that the Account Owner perished in Mauthausen concentration camp. Claimant [REDACTED 1] also submitted a certificate of inheritance regarding the estate of Oszkárne Halápi and the last will of Oszkárne Halápi, both of which indicate that János Halápi was missing following the Second World War; and a court-certified document indicating that Dr. János Halápi had been declared deceased.

As noted above, a person named Dr. János Halápi was included in the CRT's database of victims.

In addition, Claimant [REDACTED 2] indicated that Power of Attorney Holders Paul Fürszt and Carla Fürszt were also Victims of Nazi Persecution; Claimant [REDACTED 2] indicated that they were both Jewish, and that they were imprisoned in the Budapest ghetto between 1944 and 1945.

The Claimants' Relationships to the Account Owner

Claimant [REDACTED 1] has plausibly demonstrated that she is related to the Account Owner by submitting specific information and documents, demonstrating that the Account Owner was Claimant [REDACTED 1]'s grandfather's nephew. These documents include her own Hungarian identification card, and her own birth certificate, indicating that her mother was [REDACTED]; the certificate of inheritance regarding the estate of [REDACTED], indicating that his mother was [REDACTED], and that his sole heir was [REDACTED 1], whose mother was [REDACTED]; the death certificate of Oszkár Halápi, indicating that his mother was [REDACTED], and that he was married to [REDACTED]; and the last will of [REDACTED] ([REDACTED]), indicating that one of her son's names was János Halápi, and that her brother-in-law was [REDACTED]. The CRT notes that Claimant [REDACTED 1] indicated that she may have other surviving relatives, but that because they are not represented in Claimant [REDACTED 1]'s claims, the CRT will not treat their potential entitlement to the Account Owner's accounts in this decision.

The CRT further notes that Claimant [REDACTED 1] identified unpublished information about the Account Owner as contained in the Bank's records; that Claimant [REDACTED 1] filed an IQ with the Court in 1999, identifying the relationship between the Account Owner and Claimant [REDACTED 1], prior to the publication in February 2001 of the ICEP List; and that Claimant [REDACTED 1] also identified information which matches information contained in the Yad Vashem records. Finally, the CRT notes that the foregoing information is of the type that family members would possess and indicates that the Account Owner was well known to Claimant [REDACTED 1] as a family member, and all of this information supports the plausibility that Claimant [REDACTED 1] is related to the Account Owner, as she has asserted in her Claim Forms.

As indicated above, Claimant [REDACTED 2] stated that her step-father's first wife Carla Fürszt was related to the Account Owner, but that she was not exactly sure of the relationship between the two.

The Issue of Who Received the Proceeds

In this case, the Bank's records indicate the existence of four accounts. The Account Owner held one safe deposit box, numbered 1105, that was opened in 1939 and closed in 1949. The Account Owner's Estate held one safe deposit box, numbered 1139, that was opened in 1949 and closed

in 1956; one demand deposit account that was opened in 1952 and closed in 1956; and one custody account, numbered 22856, that was opened in 1952 and closed in 1956.

With regard to the safe deposit box numbered 1105, the Bank's records indicate that on 9 May 1947, the Bank was informed that the Account Owner had died in a concentration camp.⁵ The Bank's records further indicate that on 31 January 1949, Miss [REDACTED], from Budapest, visited the Bank in Zurich. The Bank's records indicate that she would subsequently "bring proof of inheritance with her." The records also indicate that just over one month later, on 7 March 1949, safe numbered 1105 was opened in the presence of [REDACTED], and a report of the procedure was made; on that same day, safe numbered 1105 was closed, and safe numbered 1139 was opened in the name of the Estate of the Account Owner.

The CRT notes that Claimant [REDACTED 1] submitted the last will of [REDACTED] ([REDACTED]), in which [REDACTED] indicates that [REDACTED] is her granddaughter (the daughter of her daughter [REDACTED]). The CRT also notes that in her will, [REDACTED] indicated that János Halápi was her son, and that [REDACTED] was her brother-in-law. The CRT notes that Claimant [REDACTED 1] indicated that [REDACTED] was her maternal grandfather. Accordingly, the CRT concludes that Claimant [REDACTED 1] is related to [REDACTED].

Given that the Bank's records indicate that [REDACTED] visited the Bank in Zurich in January 1949 and informed the Bank that she would bring them proof of inheritance; and given that just over one month later, the Bank physically opened safe numbered 1105 in [REDACTED]'s presence, the CRT concludes that [REDACTED] did in fact provide the Bank with proof that she was related to the Account Owner. The CRT concludes that if [REDACTED] had not been able to provide the Bank with proof of a relationship to the Account Owner, the Bank would not have opened safe numbered 1105 in her presence. Given these facts and given that a safe deposit box numbered 1139 in the name of the Account Owner's Estate was opened on the same day that the Account Owner's safe, numbered 1105, was closed, the CRT concludes that the Account Owner's heirs were able to access the safe deposit box numbered 1105 and that they received the proceeds themselves and/or transferred them at that time to the safe numbered 1139 held by the Account Owner's Estate.

With regard to the safe deposit box numbered 1139, the demand deposit box, and the custody account numbered 22856 that were held in the name of the Account Owner's Estate, the CRT notes that, according to Article 14 of the Rules, the CRT shall have jurisdiction to resolve claims to account of Victims of Nazi persecution open or opened in Swiss banks during the Relevant Period, which is defined as the period from 1933 to 1945. The CRT notes that the accounts held in the name of the Account Owner's Estate were all opened after 1945, after the Bank was informed by an heir of the Account Owner that the Account Owner had perished. As these accounts were not open or opened during the Relevant Period, the CRT has no jurisdiction to determine their ultimate disposition. The CRT does note, however, that according to the Bank's records, the custody account was closed on 27 February 1956, the demand deposit account was

⁵ The Bank's records indicate that the Bank was informed of the Account Owner's death by a man named [REDACTED]. The Claimants did not identify [REDACTED], although Claimant [REDACTED 1] did indicate that the Account Owner's paternal grandmother's name was [REDACTED].

closed on 29 February 1956, and safe deposit box numbered 1139 was closed on 16 March 1956. The Bank's records further indicate that on 16 March 1956, the contents of safe deposit box numbered 1139 were "returned" (*rendu*). Accordingly, there is no indication in the Bank's records that the Account Owner's heirs, who opened these accounts after the War on behalf of the Account Owner's Estate, did not receive their proceeds upon their closure.

Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules, the Claimants 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 Claimants 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, Claimants should identify the account, including, where available, the Account Identification Number, that forms the basis of the appeal and/or request for reconsideration.

Certification of the Denial

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal
3 June 2009