

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED 1]

and Claimant [REDACTED 2]
also acting on behalf of [REDACTED]
represented by Dr. Martin Kölbl

in re Accounts of Rudolf Haurowitz

Claim Number: 223141/SJ, 601400/SJ^{1, 2}

This Certified Denial is based on the claim of [REDACTED 1], née [REDACTED], (“Claimant [REDACTED 1]”) and upon the claim of [REDACTED 2] (“Claimant [REDACTED 2]”) (together the “Claimants”) to the published accounts of Rudolf Haurowitz (the “Account Owner”) at the [REDACTED] (the “Bank”).³

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 Claimants

Claimant [REDACTED 1]

Claimant [REDACTED 1] submitted a claim to the Holocaust Claims Processing Office (“HCPO”) asserting that her paternal grandfather, Rudolf Haurowitz, who was born on 9 December 1862 in Jungbunzlau, Bohemia, then Austria-Hungary (now Mlada Boleslav, the Czech Republic), and was married to [REDACTED], née [REDACTED], on 3 February 1895, owned a Swiss bank account. Claimant [REDACTED 1] indicated that, prior to the Second

¹ Claimant [REDACTED 1] submitted a claim, numbered B-02281, on 26 December 2000, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 601400.

² 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 Claimants in one proceeding.

³ In this claim, Claimant [REDACTED 1] also claimed the accounts of Ernst Haurowitz, Stephan Haurowitz, and a company called *L. Haurowitz*. The CRT has awarded the account of Ernst Haurowitz to the Claimants. See *In re Accounts of Ernst Haurowitz*. The CRT will treat the claims to the accounts of Stephan Haurowitz, and a company called *L. Haurowitz* in separate determinations.

World War, her grandfather, who was Jewish, lived in Grottau an der Neisse, Roztoky and Prague, Czechoslovakia. Claimant [REDACTED 1] further indicated that her grandfather owned a textile mill called *L. Haurowitz*. Finally, Claimant [REDACTED 1] indicated that her grandfather died on 27 January 1940 in Prague.

Claimant [REDACTED 1] stated that she was born on 26 June 1945 in Buenos Aires, Argentina.

Claimant [REDACTED 1] submitted documents in support of her application, including: (1) her birth certificate, identifying her as the daughter of [REDACTED]; (2) the death certificate of her father, [REDACTED], identifying him as the son of Rudolf Haurowitz.

Claimant [REDACTED 2]

Claimant [REDACTED 2] submitted a Claim Form asserting that his paternal grandfather, Rudolf Haurowitz, who was born on 1 December 1862 in Prague and was married to [REDACTED], née [REDACTED], owned a Swiss Bank account. Claimant [REDACTED 2] indicated that his grandfather, who was Jewish, was an owner of the firm called *L. Haurowitz*. Claimant [REDACTED 2] indicated that his grandfather lived in Roztoky from 1862 until 1880 and then resided in Prague (at two different addresses) from 1880 until 1940. Finally, Claimant [REDACTED 2] indicated that his grandfather died on 21 January 1940 in Prague.

Claimant [REDACTED 2] indicated that he was born on 9 March 1931 in Prague. Claimant [REDACTED 2] is representing his sister, [REDACTED], née [REDACTED], who was born on 26 May 1929, also in Prague.

Claimant [REDACTED 2] submitted documents in support of her application, including: (1) the death certificate of [REDACTED], identifying Claimant [REDACTED 2] as the son of [REDACTED]; (2) a letter of transfer relating to the estate of Rudolf Haurowitz, issued by the Prague state notary's office, identifying [REDACTED] and [REDACTED] as his sons; and (3) the birth certificate of [REDACTED], identifying her father as [REDACTED], and his father as Rudolf Haurowitz.

Information Available in the Bank's Records

The CRT notes that Claimant [REDACTED 1] submitted a claim to accounts belonging to her relative, Rudolf Haurowitz. 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 two accounts whose owner's name matches that provided by Claimant [REDACTED 1]. The accounts are identified below by their Account Identification Numbers, which is a number assigned to the account by the ICEP auditors for tracking purposes.

Accounts 1012394 and 1012395

The Bank's records indicate that the Account Owner was Rudolf Haurowitz, who resided in Austria. The Bank's records also indicate the Account Owner's cities of residence, one of which is in a different country. Furthermore, the Bank's records indicate the dates of opening and closing of the accounts at issue

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 Claimants have not identified the Account Owner as their relative. Although the name of their paternal grandfather matches the published name of the Account Owner, the information provided by the Claimants differs from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimants stated that their grandfather lived in Czechoslovakia, where he owned a textile mill, until his death in Prague in 1940. In contrast, the Bank's records show that the Account Owner resided in two different countries, neither of which has been identified by the Claimants. Consequently, the CRT is unable to conclude that the Account Owner and the Claimants' grandfather are the same person.

Right of Appeal

Pursuant to Article 30 of the Rules, the Claimants 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 Special Master Michael Bradfield, 51 Louisiana Ave., NW, Washington, DC 20001 USA.

The Claimants 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 Claimants 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 Claimants should be aware that the CRT will carry out further research on their claims to determine whether an award may be made based upon the information provided by the Claimants or upon information from other sources.

Certification of the Denial

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal
30 September 2005