

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant Ruzena Sandorova

**in re Account of Ernst Hofer, Alfred Tyroler,  
Helene Tyroler-Solman and Eduard Tyroler**

Claim Number: 217583/PY

This Certified Denial is based upon the claim of Ruzena Sandorova, née Reich, (the “Claimant”) to the published accounts of Alfred Tyroler, Helene Tyroler-Solman and Eduard Tyroler. This Denial is to the published accounts of Ernst Hofer (“Account Owner Ernst Hofer”), Alfred Tyroler (“Account Owner Alfred Tyroler”), Helene Tyroler-Solman (“Account Owner Helene Tyroler”) and Eduard Tyroler (“Account Owner Eduard Tyroler”)(together the “Account Owners”) at the Zurich branch of 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 identifying Account Owner Alfred Tyroler as the brother of her husband’s brother-in-law, Alfred Tyroler, who was married to Helene Tyroler, née Solman, and had a son Eduard, whom the Claimant identified as Account Owner Helene Tyroler and Account Owner Eduard Tyroler, respectively. The Claimant stated that Alfred Tyroler, who was Jewish, resided at Dunajska Street in Bratislava, Slovakia. The Claimant indicated that her relative was the representative of the *Fiat* automobile company in Slovakia, and was also an importer of automobile tires. The Claimant indicted further that Alfred Tyroler's business was aryanized by a Mr. Vincent Rajzak. The Claimant also stated that Alfred Tyroler arranged that Vincent Rajzak would pay a monthly stipend to a family who provided a secret shelter where the Claimant’s husband and his mother hid together with Alfred Tyroler's brother Desider (Deszo), his wife Ella and their son George (Juraj), thereby saving their lives. The Claimant indicated that Alfred Tyroler was able to arrange for his son, Eduard, to live in Switzerland during the Second World War, where his son married a Swiss woman.

The Claimant stated that Alfred Tyroler was shot in August 1944 in Banska Bystrica, Slovakia, during the Slovak uprising against occupying German troops. The Claimant indicated that after the Second World War Eduard and his wife returned to Czechoslovakia and subsequently moved to Toronto, Canada, in approximately 1947. The Claimant also stated that Eduard died in

approximately 1961 in Rome, Italy. The Claimant indicated that Helen Tyroler died in the early 1970s.

The Claimant indicated that she was born on 5 January 1917 in Humenne.

The Claimant previously submitted an Initial Questionnaire (“IQ”) with the Court in 1999, asserting her entitlement to a Swiss bank account owned by her father, Adolf Reich. In her IQ, the Claimant indicated that her father was a wholesale dealer in wheat and wild berries, and that he gave Alfred Tyroler 500,000.00 Slovak Crowns to deposit in a Swiss bank account.

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

The Bank's records consist of an account registry card and printouts from the Bank's database. According to these records, Account Owner Ernst Hofer, who resided in Croatia, was described as the depositor (“*deponent*”). The Bank's records indicate three other persons: Alfred Tyroler, *Frau* (Mrs.) Helene Tyroler, née Solman, and Eduard Tyroler. The auditors who carried out the investigation of this bank to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons (“ICEP” or the “ICEP Investigation”) indicated that all four persons jointly held the account. The Bank's records indicate that the Account Owners were Czechoslovak nationals and that they resided in Switzerland. The Bank's records indicate that the account was a numbered custody account identified by the number 31'730.

The Bank's records indicate that the account was opened on 26 November 1942 and closed on 9 January 1947. The Bank's records do not indicate the value of the account on the date of its closure.

### **The CRT's Analysis**

#### Identification of the Account Owners

The Claimant's relatives' names match the published names of Account Owner Alfred Tyroler, Account Owner Helene Tyroler and Account Owner Eduard Tyroler. The Claimant indicated that her relatives resided in Slovakia, which is consistent with unpublished information that the Account Owners were of Czechoslovak nationality.

Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a person named Alfred Tyroler, who resided in Slovakia and was a factory manager whose business was aryanized, which matches the information about Account Owner Alfred Tyroler provided by the Claimant. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel.

The CRT notes that the Claimant filed an IQ with the Court in 1999, asserting her entitlement to a Swiss bank account opened by Alfred Tyroler, prior to the publication in February 2001 of the

list of accounts determined by ICEP to be probably or possibly those of Victims of Nazi Persecution (the "ICEP List"). This indicates that the Claimant 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 the Claimant 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 the Claimant.

The CRT notes that the other claim to this account was disconfirmed because that claimant did not identify Account Owner Ernst Hofer, Account Owner Helene Tyroler, and Account Owner Eduard Tyroler, and indicated that her relative held a different nationality than that held by Account Owner Alfred Tyroler. Taking all of these factors into account, the CRT finds that the Claimant has plausibly identified the Account Owners.

#### Status of the Account Owners as Victims of Nazi Persecution

The Claimant has made a plausible showing that Account Owner Alfred Tyroler was a Victim of Nazi Persecution. The Claimant stated that Account Owner Alfred Tyroler was Jewish, that his business was aryanized, and that he was shot in August 1944 in Banska Bystrica, during the Slovak uprising. The Claimant has also indicated that Account Owner Alfred Tyroler's son, Eduard, fled to Switzerland. As noted above, a person named Alfred Tyroler was included in the CRT's database of victims.

#### The Claimant's Relationship to the Account Owners

The Claimant has plausibly demonstrated that she is related to the Account Owners by submitting specific information, demonstrating that Account Owner Alfred Tyroler was the brother of her husband's brother-in-law, that Helene Tyroler-Solman was his wife, and that Eduard Tyroler was his son. The CRT further notes that the Claimant filed an IQ with the Court in 1999, identifying the relationship between herself and Account Owner Alfred Tyroler, prior to the publication in February 2001 of the ICEP List, and that the Claimant also identified information which matches information contained in the Yad Vashem records regarding Account Owner Alfred Tyroler. Finally, the CRT notes that the foregoing information is of the type that family members would possess and indicates that Account Owner Alfred Tyroler, Account Owner Helene Tyroler and Account Owner Eduard Tyroler were well known to the Claimant as family members, and all of this information supports the plausibility that the Claimant is related to Account Owner Alfred Tyroler, Account Owner Helene Tyroler and Account Owner Eduard Tyroler, as she has asserted in her Claim Form.

The Claimant did not establish a relationship to Account Owner Ernst Hofer.

#### The Issue of Who Received the Proceeds

Given that Account Owner Eduard Tyroler and his wife, who was of Swiss nationality, were resident in Switzerland until the end of the Second World War when they returned to Czechoslovakia; and that they emigrated to Canada in 1947, which the CRT notes is the same

year the account was closed and was before the Communists took power in Czechoslovakia in 1948, the CRT concludes that Account Owner Eduard Tyroler had access to the account and closed the account and received the proceeds himself.

### **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 her claim to determine whether there are additional Swiss bank accounts to which she 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  
31 August 2004