

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimants [REDACTED 1],

[REDACTED 2],

[REDACTED 3]

and [REDACTED 4]

## **in re Account of Rosa T. Jonas**

Claim Numbers: 223607/SB; 224320/SB; 224327/SB; 224328/SB<sup>1, 2, 3</sup>

This Certified Denial is based on the claims of [REDACTED 1], née [REDACTED], ( Claimant [REDACTED 1] ) [REDACTED 2], née [REDACTED], ( Claimant [REDACTED 2] ) [REDACTED 3] ( Claimant [REDACTED 3] ) and [REDACTED 4] ( Claimant [REDACTED 4] ) (together the Claimants ) to the account of Rosa (Roza) Jonas, née Fink.<sup>4</sup> This Denial is to the published account of Rosa T. Jonas (the “Account Owner”) at the [REDACTED] (the “Bank”).<sup>5</sup>

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.

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<sup>1</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 four claims of the Claimants in one proceeding.

<sup>2</sup> Claimant [REDACTED 3] submitted a claim, numbered B-01556, on 16 November 1998, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department and an Initial Questionnaire with the Court in 1999. The HCPO referred this claim to the CRT and has been assigned Claim Number 601488. The Initial Questionnaire is being treated under the consolidated Claim Number 224327. The CRT treated the HCPO claim in a separate determination.

<sup>3</sup> Claimant [REDACTED 1] also submitted an Initial Questionnaire with the Court in 1999, which has been assigned the claim number 782385. The CRT will treat the Initial Questionnaire in a separate determination.

<sup>4</sup> The CRT did not locate an account belonging to Rosa (Roza) Fink, or Roza Jonas, 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.

<sup>5</sup> In these claims, the Claimants also claimed the account of Herman (Hersh) Jonas. The CRT treated the claims to this account in separate determinations.

## **Information Provided by the Claimants**

The Claimants, who are siblings, each submitted a Claim Form asserting that their mother, Rosa Fink, who was born approximately in 1890, and was married to [REDACTED] on 1 February 1909 in Sanok, Poland, owned a Swiss bank account. The Claimants stated that their mother, who was Jewish, resided in Sanok, where her husband owned a bank. According to the Claimants, their father visited New York, New York, the United States in 1933 and returned to Poland in March 1934. The Claimants explained that after the German invasion of Poland in 1939, their parents fled Poland for Russia, ultimately emigrating to the United States in 1945. The Claimants stated that their mother died on 30 June 1970 in New York. Claimant [REDACTED 1] indicated that she was born on 21 December 1925 in Sanok, Claimant [REDACTED 2] indicated that she was born on 21 December 1923 in Sanok, Claimant [REDACTED 3] indicated that he was born on 22 June 1922 in Sanok, and Claimant [REDACTED 4] indicated that he was born on 22 June 1917 also in Sanok.

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

The CRT notes that the Claimants submitted claims to an account belonging to their relative, Rosa Jonas. 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 owners' name matches that provided by the Claimants. 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 5026248

The Bank's records indicate that the Account Owner was Rosa T. Jonas, who resided in Saint Louis, Missouri, the United States. The Bank's records also indicate the Account Owner's street address. Furthermore, the Bank's records indicate the name of a person who appears to be closely related to the Account Owner and to whom the account at issue was transferred. Finally, the Bank's records indicate the date of opening of the account at issue.

## **The CRT's Analysis**

### Admissibility of the Claims

The CRT has determined that the claims are 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 mother matches the published name of the Account Owner, the information provided by the Claimants differs materially from the published and unpublished

information about the Account Owner available in the Bank's records. Specifically, the Claimants stated that their mother resided in Poland until 1939, ultimately emigrating to the United States in 1945, where she resided in New York. In contrast, the Bank's records show that the Account Owner resided in Saint Louis, Missouri, several years before the outbreak of the Second World War. The CRT also notes that the Claimants did not identify the person to whom the account at issue was transferred, even though this person appears to be closely related to the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimants' mother 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, which 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  
23 February 2006