

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED 1]
also acting on behalf of [REDACTED 2]
and [REDACTED 3]

in re Accounts of Elisabeth Klein

Claim Number: 215229/MG

This Certified Denial is based on the claim of [REDACTED 1] (the Claimant) to the published account of Elisabeth Klein of Timisoara, Romania. This Denial is to the published account of Elisabeth Klein (“Account Owner 1”) at the [REDACTED] (“Bank 1”), to the published account of Elisabeth Klein (“Account Owner 2”) at the [REDACTED], and to the unpublished account of Elisabeth Klein at the [REDACTED] (“Bank 3”).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 Claimant

The Claimant submitted a Claim Form asserting that his mother, Elisabeth Erzsi Valeria Reményi, née Klein, who was born on 26 October 1900 in Timisoara, Romania, and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that his mother, who was Jewish, resided at Metrmétianu 3 in Timisoara from 1925 until 1940, when she and her husband fled to Palestine. During a telephone conversation with the CRT on 29 June 2004, the Claimant stated that his mother was married in or before 1923, and that it is not likely that she would have opened an account after her marriage under her maiden name, Klein. The Claimant further stated that his mother died on 14 August 1959 in Tel Aviv, Israel. The Claimant indicated that he was born on 27 September 1927 in Timisoara.

The Claimant submitted documents in support of his application, including: (1) his birth certificate; (2) his parents’ immigration application; and (3) his mother’s obituary.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Elisabeth Erzsi Valeria Reményi, née Klein. 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 three accounts whose owners' names match to that provided by the Claimant. Each 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 5023721

Bank 1's records indicate that Account Owner 1 was Elisabeth Klein, who resided in Temesvar (the Hungarian name for Timisoara), Romania. Bank 1's records also indicate Account Owner 1's marital status, and that she held the account jointly with a person who appears to be closely related to Account Owner 1. Moreover, Bank 1's records indicate a name of a company associated with the joint account owner. Furthermore, Bank 1's records indicate the date of opening of the account at issue. Finally, Bank 1's records contain Account Owner 1's signature.

Account 1000613

Bank 2's records indicate that Account Owner 2 was Elisabeth Klein, who resided in Sipplingen, Germany.

Account 2016054

Bank 3's records indicate that Account Owner 3 was Elisabeth Klein. Bank 3's records also indicate Account Owner 3's country of residence, city of residence, street address and title. Furthermore, Bank 3's records indicate the date of opening of the account at issue. Finally, Bank 3's records contain Account Owner 3's signature.

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 Owners

As for Account 5023721, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his mother matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the unpublished information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant stated that his mother married in or before 1923, and that it is not likely that she would

have opened an account after her marriage under her maiden name, Klein. In contrast, Bank 1's records show that Account Owner 1 opened the account under the name Klein many years after 1923. Moreover, the Claimant could not identify the name of the company associated with the joint account owner, nor could he provide an explanation why his mother would open a bank account with the joint account owner. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's mother are the same person.

As for Account 1000613, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his mother matches the published name of Account Owner 2, the information provided by the Claimant differs materially from the published information about Account Owner 2 available in Bank 2's records. Specifically, the Claimant stated that his mother resided in Timisoara, Romania. In contrast, Bank 2's records show that Account Owner 2 resided in Sipplingen, Germany. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's mother are the same person.

As for Account 2016054, the CRT concludes that the Claimant has not identified Account Owner 3 as his relative. Although the name of his mother matches the unpublished name of Account Owner 3, the information provided by the Claimant differs materially from the unpublished information about Account Owner 3 available in Bank 3's records. Specifically, the Claimant stated that his mother resided in Timisoara, Romania. In contrast, Bank 3's records show that Account Owner 3 resided in a different country, which was not identified by the Claimant and which is distant from Romania. Consequently, the CRT is unable to conclude that Account Owner 3 and the Claimant's mother are the same person.

Right of Appeal

Pursuant to Article 30 of the Rules, the Claimant 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 the Special Master, c/o Claims Resolution Tribunal, P.O. Box 9564, 8036 Zurich, Switzerland.

The Claimant 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 Claimant 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 Claimant should be aware that the CRT will carry out further research on his 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
31 August 2004