

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Géza Kovacs

Claim Numbers: 222631/SJ/SB; 600721/SJ/SB^{1, 2, 3}

This Certified Denial is based on the claims of [REDACTED] (the “Claimant”) to an account of Geza Kovacs (Kohn). The CRT did not locate an account belonging to Geza Kohn 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”). This Denial is to the published account of Geza Kovacs (the “Account Owner”) at the [REDACTED] (the “Bank”).

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 are redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form asserting that his father, Geza Kovacs (Kohn), who was born on 20 January 1908 in Miskolc, Hungary, and was married first to [REDACTED] on 20 July 1931 in Budapest, Hungary, owned a Swiss bank account. The Claimant added that his father was divorced on 2 March 1935 and was later married to [REDACTED]. The Claimant stated that his father was a textile factory manager, a business manager and director of a purchasing company, and the owner of a grocery store in Turkeve, Hungary, where he was living by 1937. The Claimant also stated that his father also lived in Miskolc, Nyiregyhaza and Budapest, Hungary. Furthermore, the Claimant stated that his father went to school in Mulhouse, France (located close to the border with Switzerland) and that the Claimant’s uncle,

¹ The Claimant submitted a claim, numbered B-01540, on 5 November 1998 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 600721.

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 Claimant in one proceeding.

³ The Claimant submitted additional claim to the account of Franz Bauer, which is registered under the Claim Number 222892. The CRT awarded Franz Bauer’s account to the Claimant. The Award was approved by the Court on 3 June 2003.

[REDACTED], studied at the *Université de Genève*, in Geneva, Switzerland. According to the Claimant, from 1941 through 1944, his father, who was Jewish, was interned in a slave labor camp, but that he escaped and survived the Second World War. The Claimant stated that his father continued to live in Hungary after the Second World War, and that he died on 3 August 1982 in Budapest. The Claimant indicated that he was born on 14 September 1932 in Nyiregyhaza.

The Claimant previously submitted an HCPO claim form in 1998, asserting his entitlement to a Swiss bank account owned by Geza Kovacs.

The Claimant submitted documents in support of his application, including: (1) a copy of his father's birth certificate; (2) a copy of his father's death certificate; and (3) a copy of his father's and uncle's respective school certificates, showing where they studied.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted claims to an account belonging to his relative, Geza Kovacs. The auditors who carried out the ICEP Investigation reported one account whose owner's name matches that provided by the Claimant. 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 5024363

The Bank's records indicate that the Account Owner was Géza Kovacs, who resided in Budapest, Hungary, and that the Power of Attorney Holder was Josefina Kovacs. The Bank's records also indicate the Account Owner's street address, profession, spouse's name, and the Power of Attorney Holder's place of residence. Furthermore, the Bank's records indicate the date the power of attorney form to the account at issue was signed. Finally, the Bank's records contain the Account Owner's and the Power of Attorney Holder's signature samples.

The CRT's Analysis

Admissibility of the Claim

The CRT has determined that the claims are admissible according to Article 18 of the Rules.

Identification of the Account Owner

The CRT concludes that the Claimant has not identified the Account Owner as his relative. Although the name of his father matches the published name of the Account Owner, the information provided by the Claimant differs from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that his father was a businessman and that he was married twice, first to [REDACTED] and later to

[REDACTED]. In contrast, the Bank's records show that the Account Owner held a different profession, and that he was married to a woman with a different name. Furthermore, the Claimant did not identify the Power of Attorney Holder, although she shared the same last name as the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father 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
30 September 2004