

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant Lillian May Ingster

**in re Account of B. Krzyzanski**

Claim Number: 209436/GP/EZ

This Certified Denial is based on the claim of Lillian May Ingster (the “Claimant”) to the account of Bernard Ingster (formerly, Bernard Krzyzanski). The CRT did not locate an account belonging to Bernard Ingster 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 accounts of B. Krzyzanski (the “Account Owner”) at 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 asserting that her father, Benjamin Ingster (formerly known as Bernard, Benik or Benjamin Krzyzanski), who was born on 20 May 1923 in Breslau, Germany, (now Wroclaw, Poland) and was married to Molly Ingster, nee Bastocka, on 1 April 1951 in New York, New York, the United States, owned a Swiss bank account. According to the Claimant, her father, who was born Jewish, was later brought up by his Catholic father and aunt. The Claimant indicated that her father was a trader while in Europe (specifically, the Claimant stated that he worked as a smuggler), and that he used various spellings of the name Krzyzanski at this time, finally changing his name to Benjamin Ingster to evade capture by the police. The Claimant stated that her father was persecuted by the Nazis. The Claimant indicated that the claimed account also could have been held by her grandfather, B. Krzyzanski, a wealthy Polish military man. The Claimant stated that she was born in 1955 in New York.

The Claimant submitted documents in support of her application, including: (1) her parents’ marriage certificate, identifying her father as Benjamin Ingster; (2) her own birth certificate, identifying her father as Benjamin Ingster; (3) her father’s death certificate, identifying the Claimant’s grandfather as Benjamin Ingster. With respect to the latter, the Claimant added that the name of her grandfather in this document is false and that his real name was B. Krzyzanski.

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

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Bernard Krzyzanski. The auditors who carried out the ICEP Investigation reported one account whose owner's first initial and last name matches that provided by the Claimant. Upon review of the bank documents, the CRT also located two additional accounts that were not reported by the auditors. 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 5032200, 5032200.1 and 5032200.2

The Bank's records indicate that the Account Owner was B. Krzyzanski who resided in Warsaw, Poland. The Bank's records also indicate the Account Owner's profession. Furthermore, the Bank's records indicate addresses for the Account Owner in a country other than Poland.

## **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 Claimant has not identified the Account Owner as her father or grandfather. Although the names provided by the Claimant for her father and grandfather match the published name of the Account Owner, the information provided by the Claimant differs materially from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that the account belonged to her father, who was a trader, or to her grandfather, who was a military man. In contrast, the Bank's records show that the Account Owner had a profession that differed from either of these. Moreover, the Claimant did not provide any documentation to show that her father had an address in Warsaw, and did not identify the additional country of residence of the Account Owner, as contained in the Bank records. In addition the Claimant could not provide a document to show that either of her relatives had the last name Krzyzanski. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father or grandfather, 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 her 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