

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Marianna Daisy Birnbaum

in re Account of Marianne Laszlo

Claim Number: 601292/OW¹

This Certified Denial is based on the claim of Marianna Daisy Birnbaum, née Laszlo, (the “Claimant”) to the published account of Marianne Laszlo (the “Account Owner”), over which *Frau* (Mrs.) Sandor Laszlo (the “Power of Attorney Holder”) held power of attorney, at the [REDACTED] (the “Bank”).^{2,3}

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 to the Holocaust Claims Processing Office (“HCPO”) in 2000 asserting that she owned a Swiss bank account. The Claimant stated that she was born on 28 April 1934 in Budapest, Hungary. The Claimant stated further that her father, [REDACTED], who was born on 15 July 1903 in Dunaszerdahely, then Austria-Hungary (now Hungary), was married to [REDACTED], née [REDACTED], who was born on 13 June 1909, on 8 November 1931. The Claimant explained that her parents resided in Budapest, where her father owned two companies named *Laszlo D. Rt.* and *Vafém*. According to the Claimant, her father, who was Jewish, opened three bank accounts in Switzerland for himself, his wife and for his only child, the Claimant. The Claimant indicated that her father, [REDACTED], passed away on 23

¹ The Claimant submitted a claim, numbered B-02217, on 30 May 2000, 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 601292. The Claimant also submitted an Initial Questionnaire with the Court in 1999. The CRT is treating the Initial Questionnaire and the HCPO claim under the consolidated Claim Number 601292.

² The CRT did not locate an account belonging to Marianna Laszlo, 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”).

³ In this claim, the Claimant also claimed the accounts of Emanuel Laszlo (also known as Emanuel Löwinger), Elsa Laszlo (also known as Elsa Löwinger), née Blau, and an account under a code name “Daisy.” The CRT will treat the claim to these accounts in a separate determination.

February 1977, and that her mother, [REDACTED], passed away on 14 February 1995, both in Los Angeles, California, the United States.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by her father, [REDACTED].

The Claimant submitted documents in support of her application, including: (1) Registry Sheet from the Jewish Girls Gymnasium in Budapest, indicating that Marianna Laszlo was born on 28 April 1934 in Budapest, and that her parents were [REDACTED] and [REDACTED]; (2) Letter from the *Budapest Szekesfovaros Arvaszeke* issued in 1944 indicating that Marianna Laszlo, who was the daughter of [REDACTED], left the Jewish congregation.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her. 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 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 4021645

The Bank’s records indicate that the Account Owner was Marianne Laszlo, who resided in Budapest, Hungary, and that the Power of Attorney Holder was *Frau* (Mrs.) Sandor Laszlo. The Bank’s records also indicate the Account Owner’s date of birth and marital status, as well as the name and address of an individual who opened the account for the benefit of the Account Owner. Furthermore, the Bank’s records indicate the dates of opening and closing of the account at issue.

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 is not the Account Owner. Although the name of the Claimant matches the published name of the Account Owner, the information provided by the Claimant differs materially from the unpublished information about the Account Owner and the account available in the Bank’s records. Specifically, the Claimant stated that she was born on 28 April 1934 in Budapest. In contrast, the Bank’s records indicate that the Account Owner was born before that date, and that the account was opened prior to 1934. Additionally, the Claimant

did not identify the Power of Attorney Holder, despite the fact that she had the same last name as the Account Owner, nor did she identify the name of the individual who opened the account for the benefit of the Account Owner. Consequently, the CRT concludes that the Account Owner and the Claimant are not 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 Special Master Michael Bradfield, 51 Louisiana Ave., NW, Washington, DC 20001 USA.

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, 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 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
30 September 2005