

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Mircea Itic Moscovici
also representing Mihail Itic Moscovici

in re Account of Isidor Moscovici

Claim Number: 500996/RS¹

This Certified Denial is based on the claim of Mircea Itic Moscovici (the “Claimant”) to the published account of Isidor Moscovici (the “Account Owner”) at the [REDACTED] (the “Bank”).

All denials are published, but 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 his father, Isidor Itic Moscovici, who was Jewish, owned a Swiss bank account. The Claimant indicated that Isidor Moscovici was born on 28 March 1888 in Focsani-Vrancea, Romania, and that he married Simelia (Sima) Moscovici in May 1931 in Buzau, Romania. According to the Claimant, his father was a doctor who died on 14 February 1971 in Bucharest.

The Claimant indicated that he was born on 16 August 1939 in Bucharest, Romania. The Claimant is also representing his brother, Mihail Itic Moscovici, who was born on 18 September 1938 in Bucharest.

Information Available in the Bank’s Record

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Isidor Moscovici. 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, for which one of the owner’s names matches that provided by the Claimant.

¹ The Claimant should note that this determination relates only to the Claim Number and Claimed Account Owners stated above, and that the CRT is aware that the Claimant may have submitted other claims.

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 4020020

The Bank's record indicates that there were four account owners, one of whom was Isidor Moscovici, who resided in Bucharest, Romania. The Bank's record further indicates that the four account owners were closely related, and that correspondence regarding the account should be sent to an individual, who was also related to the four account owners, who resided in a different country.

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 Account Owner Isidor Moscovici

The CRT concludes that the Claimant has not identified Account Owner Isidor Moscovici as his father. Although the name of his father matches the published name of one of the account owners, the information provided by the Claimant differs from the unpublished information about that account owner available in the Bank's record. Specifically, the Claimant failed to identify any of the other three joint account owners, even though they were closely related to Account Owner Isidor Moscovici, and also failed to identify the contact person for the account, or the country in which that person resided. Consequently, the CRT is unable to conclude that account owner Isidor Moscovici and the Claimant's relative are the same person.

Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules, the Claimant may appeal this decision or submit a request for reconsideration within ninety (90) days of the date of the letter accompanying this decision.

An appeal must be based upon a plausible suggestion of error regarding the CRT's conclusions set out in this decision. Any appeals which are submitted without a plausible suggestion of error shall be summarily denied. A request for reconsideration must be based on new documentary evidence not previously presented to the CRT that, if considered, would have led to a different outcome of the claim. Claimants should briefly explain the relevance of the newly submitted documents in view of the conclusions stated in the certified decision.

The Claimant should send appeals and/or requests for reconsideration in writing to the following address: Oren Wiener, Claims Resolution Tribunal, Attention: Appeals / Request for Reconsideration, P.O. Box 9564, 8036 Zurich, Switzerland. If more than one account has been treated in this decision, the Claimant should identify the account, including, where available, the

Account Identification Number, that forms the basis of the appeal and/or request for reconsideration.

Scope of the Denial

The CRT now considers the Claimant's claim to the account of Isidor Moscovici closed. Please note that this decision applies only to the Claim Number and Claimed Account Owner identified herein, and that the CRT is aware that the Claimant may have claimed accounts held by other persons or entities both in the Claim Number specified above and in other claims submitted to the CRT.

Certification of the Denial

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal
24 May 2009