

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Veronica Shavitt
also acting on behalf of Eva Kenan

in re Account of Alfred Neuwirth

Claim Number: 214706/SB^{1, 2, 3}

This Certified Denial is based on the claim of Veronica Shavitt, née Neuwirth, (the “Claimant”) to the published account of Alfred Neuwirth (the “Account Owner”) at the [REDACTED] (the “Bank”).⁴

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’s cousin, Alfred Neuwirth, owned a Swiss bank account. The Claimant stated that her father’s cousin was Jewish and had a close relationship with her father, Mihaly Neuwirth (Neuwirth). The Claimant indicated that she did not have specific information about her relative, but stated that most of her father’s extended family resided either in Budapest, Hungary, in the region between Budapest and Vienna, Austria, or the region around Bratislava, Czechoslovakia (today Slovakia). In correspondence with the CRT dated 5 April 2005, the Claimant added that her father often referred to his cousin by the nickname *doctorkám* (“little doc”). The Claimant stated that she believes her relative died in the Holocaust. The Claimant indicated that she was born on 12 December 1926 in Ujpest, Hungary.

¹ The Claimant submitted two Claim Forms, which were registered under the Claim Numbers 214706 and 214707. The CRT has determined that these claims are duplicate claims and is treating them under the consolidated Claim Number 214706.

² The Claimant submitted additional claims to the accounts of Izidor Wertheimer, Gisella Wertheimer, Sandor Wertheimer, Dezsö Wertheimer, Lajos Wertheimer, Joseph Wertheimer, Simon Neuwirth, Veronica Neuwirth, and Alfred Wertheimer, which are registered under the Claim Numbers 214700, 214701, 214702, 214703, 214704, 214705, 214708, 214709, and 400452, respectively. The CRT will treat the claims to these accounts in separate determinations.

³ The Claimant submitted an Initial Questionnaire with the Court in 1999 and a Claim Form to the CRT. The CRT is treating the Initial Questionnaire and the Claim Form under the consolidated Claim Number 214706.

⁴ In this claim, the Claimant also claimed the account of Mihaly Neuwirth (Neuwirth). The CRT will treat the claim to this account in a separate determination.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Alfred Neuvirth. 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 4021742

The Bank's records indicate that the Account Owner was Alfred Neuvirth, who resided in Hungary. The Bank's records also indicate the Account Owner's professional or academic title and city of residence. 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, for purposes of issuing this Denial, 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 relative. Although the name of her father's cousin matches the published name of the Account Owner, the CRT is unable to conclude that the Account Owner and the Claimant's relative are the same person. Specifically, the Claimant did not explicitly identify the Account Owner's unpublished city of residence. The Claimant indicated that she did not have specific information regarding her father's cousin's domicile, and stated only that her father's relatives mostly resided either in Budapest, the region between Budapest and Vienna, or the region around Bratislava. Furthermore, the Claimant did not explicitly identify the Account Owner's unpublished professional or academic title. The Claimant stated only that her father often referred to his cousin as "little doc." Moreover, it should be noted that the CRT has awarded this account to other claimants, who plausibly identified the Account Owner as their relative and who correctly identified unpublished information about the Account Owner, including his city of residence and title. All decisions are published upon release on the CRT's website at www.crt-ii.org. The CRT notes that the Claimant did not indicate that her father's cousin was referred to as "little doc" until after the decision awarding this account to other claimants was posted on the CRT's website, thereby revealing the Account Owner's title. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father's cousin 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 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 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
30 November 2005