

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

**in re Account of Felix Pressburger
(Power of Attorney Holder Lilly Pressburger)**

Claim Number: 223471/SB¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published account of Felix Pressburger (the “Account Owner”), over which Lilly Pressburger (the “Power of Attorney Holder”) held power of attorney, at the [REDACTED] (the “Bank”).

Information Provided by the Claimant

The Claimant submitted a Claim Form asserting that his maternal aunt, Lilly Pressburger,² who was born on 4 August 1910 in Tata (today Hungary), owned a Swiss bank account. The Claimant further stated that his aunt, who was Jewish, was the daughter of [REDACTED] and [REDACTED], who resided in Tata and Zagreb (today Croatia) and Belgrade (today Serbia). The Claimant further stated that his aunt perished in Auschwitz in 1944. The Claimant indicated that he was born on 6 August 1931 in Budapest, Hungary.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Lilly Pressburger. 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 power of attorney holder’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.

¹ The Claimant submitted two additional claims, which are registered under the Claim Numbers 223470 and 223499. The CRT has treated these claims by means of letters dated 8 September 2006.

² The CRT did not locate an account belonging to Lilly Pressburger 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”).

Account 5024250

The Bank's records indicate that the Account Owner was Felix Pressburger, who resided in Zagreb, Yugoslavia, that the Power of Attorney Holder was Lilly Pressburger and that the other power of attorney holders were Lucie Pressburger, Paula Pressburger and Stella Pressburger. The Bank's records also indicate the Account Owner's street address and the Power of Attorney Holder's street address, city and country of residence and the name of her father. Finally, the Bank's records contain the Account Owner's and the Power of Attorney Holder's signatures.

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 Power of Attorney Holder as his relative. Although the name of his aunt matches the published name of the Power of Attorney Holder, the information provided by the Claimant differs materially from the unpublished information about the Power of Attorney Holder available in the Bank's records. Specifically, the Claimant stated that his aunt's father was Jenö Pressburger. In contrast, the Bank's records show that the Power of Attorney Holder had a different father. Consequently, the CRT is unable to conclude that the Power of Attorney Holder and the Claimant's aunt are the same person.

Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules Governing the Claims Resolution Process, as amended (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 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
27 February 2007