

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Israel Rosenzweig

in re Accounts of S. Rosenzweig

Claim Number: 004277/SB¹

This Certified Denial is based on the claim of Israel Rosenzweig (the “Claimant”) to the account of Shmuel Rosenzweig.² This Denial is to the published accounts of S. Rosenzweig (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 his father, Shmuel Rosenzweig, who was born approximately in 1892, and was married to Chaya Bracha Hershkowitz, owned a Swiss bank account. The Claimant stated that his father, who was Jewish, was a businessman who resided in Lodz, Poland. The Claimant further stated that his father perished in the Lodz ghetto between 1941 and 1943. The Claimant indicated that he was born on 3 March 1927.

The Claimant previously submitted an Initial Questionnaire to the Court in 1999 asserting his entitlement to a Swiss bank account owned by Shmuel Rosenzweig.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Shmuel Rosenzweig. 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

¹ The Claimant submitted an Initial Questionnaire to 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 004277.

² The CRT did not locate an account belonging to Shmuel Rosenzweig 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”).

matches that provided by the Claimant. 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.

Accounts 5024447

The Bank's records indicate that the Account Owner was S. Rosenzweig, who resided in Merano, Italy, and that the Power of Attorney Holder was Olga Rosenzweig. The Bank's records also indicate the name of the Account Owner's spouse and the Power of Attorney Holder's city and country of residence. 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 Account Owner as his relative. Although the name of his father matches the published first name initial and last 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 his father was married to Chaya Bracha Rosenzweig, née Hershkowitz and resided in Poland. In contrast, the Bank's records show that the Account Owner was married to a different person and resided in Italy. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father 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, 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 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
8 August 2006