

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Dezsö Roth

Claim Number: 222885/MD/SB

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the published accounts of Dezsö Roth (the “Account Owner”) at the [REDACTED] (the “Bank”).

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 Form asserting that her uncle, Dezsö Roth, who was born in 1897 in Lsenger, Hungary, and was married to [REDACTED], née [REDACTED], owned a Swiss bank account. The Claimant stated that her uncle was a textile trader in Budapest, Hungary, and that he owned an apple orchard, in partnership with the Claimant’s husband. The Claimant indicated that her uncle lived in Budapest at Telekiter 6 until 1942, and later at Kerulet 8 and Napszinahaz utca 48. The Claimant explained that her uncle, who was Jewish, spent some time in Switzerland during the Second World War. The Claimant did not indicate her uncle’s fate during the Second World War. The Claimant indicated that she was born on 19 April 1926.

The Claimant submitted photographs of her uncle with his wife as well as their writing samples, which indicate that they lived in Budapest in 1958.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to her uncle, Dezsö Roth. 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 two accounts whose owner’s name 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 5023915 and 5029586

The Bank's records indicate that the Account Owner was Dezsö Roth, who resided in Budapest, Hungary. The Bank's records also indicate the name of the Account Owner's wife, including her maiden name. Furthermore, the Bank's records indicate the dates of opening of the accounts at issue. Finally, the Bank's records contain the Account Owner's and his wife'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 her relative. Although the name of her uncle matches the published name of the Account Owner, the information provided by the Claimant differs from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her uncle was married to [REDACTED], née [REDACTED]. In contrast, the Bank's records show that the Account Owner's wife had a different name. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's uncle 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 the Special Master, c/o Claims Resolution Tribunal, P.O. Box 9564, 8036 Zurich, Switzerland.

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 September 2004