

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]
represented by Vera Steyvers

in re Accounts of Edwin L. Rothschild

Claim Number: 207771/SB¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the account of Edwin (Edvin) Rothschild.² This Denial is to the published account of Edwin L. Rothschild (“Account Owner 1”) at the [REDACTED] (“Bank 1”), and to the published account of Edwin L. Rothschild (“Account Owner 2”), over which Fanny Metzger and Ivy E. L. Rothschild held power of attorney, at the [REDACTED] (“Bank 2”). The CRT notes that the accounts at issue were held at two different banks, which were investigated by different teams of auditors during 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”). The auditors, therefore, did not consider whether the accounts at issue were held by the same individual. However, given that the names and cities of residence of Account Owner 1 and Account Owner 2 are exactly the same, as described in detail below, the CRT concludes that Account Owner 1 and Account Owner 2 were the same person (the “Account Owner”).

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 brother, Edwin Rothschild, who was born on 24 December 1923 in Frankfurt am Main, Germany, owned a Swiss bank account. The Claimant stated that her brother, who was Jewish, resided with his parents in Frankfurt am Main until 1934, when the family fled Germany for Milan, Italy, and then in 1939 the family moved to

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 207771. In this Initial Questionnaire the Claimant claimed the account of Salomon Rothschild. The CRT will treat the claim to this account in a separate determination.

² The CRT did not locate an account belonging to Edvin Rothschild 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”).

Kaschau, Czechoslovakia (now Kosice, Slovakia). The Claimant further stated that her brother was deported to various concentration camps and that he died on 7 September 1945, in Kaschau, never having been married. The Claimant indicated that she was born on 24 February 1925 in Frankfurt am Main.

The Claimant submitted documents in support of her claim, including: (1) her brother's birth certificate; (2) her brother's death certificate; and (3) her brother's registration document for Kaschau.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Edwin Rothschild. The auditors who carried out the ICEP Investigation reported seven accounts whose owners' names match 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 2016147, 2016148, 2016149, 2016154, 2016160 and 2016163

Bank 1's records indicate that the Account Owner was Edwin L. Rothschild, who resided in Gailingen, Germany.

Account 5023946

Bank 2's records indicate that the Account Owner was Edwin L. Rothschild, who resided in Gailingen, Germany, and that the Power of Attorney Holders were Fanny Metzger and Ivy E. L. Rothschild. Bank 2's records also indicate the Account Owner's second city of residence, relationship to the Power of Attorney Holders and the date on which the power of attorney was granted. Finally, Bank 2's records contain the Account Owner's and the Power of Attorney Holders' 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 Owners

The CRT concludes that the Claimant has not identified the Account Owner as her relative. Although the name of her brother matches the published name of the Account Owner, the information provided by the Claimant differs materially from the published information about the Account Owner available in Bank 1's and Bank 2's records. Specifically, the Claimant

stated that her brother was born in 1923, that he never married and that he resided in Frankfurt am Main, Germany. In contrast, Bank 2's records show that the Account Owner was married when the Claimant's brother was still a child, and Bank 1's and Bank 2's records show that the Account Owner resided in Gailingen, Germany, which is over 250 kilometers from Frankfurt am Main. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's brother 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
18 April 2006