

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

To the Estate of Claimant Veronica Kovari
represented by Manuel Pardi

in re Account of N. Schwarcz

Claim Number: 402086/SB¹

This Certified Denial is based on the claim of Veronica Kovari, née Schwarcz, (the “Claimant”) to the published account of N. Schwarcz (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 in 2005 asserting that her father, Gyorgy Schwarcz, who was born on 18 May 1906 in Hungary, and was married to Eva Weisz on 28 June 1942 in Budapest, Hungary, owned a Swiss bank account under the pseudonym N. Schwarcz. The Claimant stated that her father, who was Jewish, was a businessman who resided in Budapest, Hungary. The Claimant further stated that her father perished in the Holocaust. The Claimant indicated that she was born on 6 February 1944 in Budapest.

The Claimant submitted documents in support of her claim, including her parent’s marriage certificate, which indicates the Claimant’s father’s name as Gyorgy Schwarcz.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Gyorgy Schwarcz, who opened the account under the pseudonym, N. Schwarcz. The CRT further notes that the auditors who carried out the investigation of this bank to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons (“ICEP” or the “ICEP Investigation”) did not report an account belonging to N. Schwarcz during their investigation of the Bank. The documents evidencing an account

¹ The Claimant submitted one additional claim, which is registered under the Claim Number 402089. The CRT will treat this claim in a separate determination.

belonging to N. Schwarcz were obtained from the Swiss Federal Archive in Bern, Switzerland, and pertain to accounts reported in a survey conducted pursuant to Swiss Federal legislation requiring the registration of assets dormant since 9 May 1945 held in Switzerland by foreigners or stateless persons known or presumed to have been victims of racial, religious or political persecution (the “1962 Survey”). The account is identified below by its Account Identification Number, which is a number assigned to the account for tracking purposes.

Account 6002103

The 1962 Survey records indicate that the Account Owner was N. Schwarcz. The 1962 Survey records also indicate the Account Owner’s full name.

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 Claimant stated that her father, Gyorgy Schwarcz opened a Swiss bank account using the pseudonym N. Schwarcz, the information provided by the Claimant differs materially from the unpublished information about the Account Owner available in the 1962 Survey records. Specifically, the Claimant did not identify the Account Owner’s first name as indicated in the 1962 Survey records. The CRT also notes that there is nothing in the 1962 Survey records to indicate that the account was opened using a pseudonym, or that it was opened on behalf of another individual. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant’s father are the same person.

Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of 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 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
23 March 2007