

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Paul Schwartz

Claim Number: 601290/AK¹

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to an account of Pal Schwartz (Schvarc, Schwarcz). This Denial is to the published accounts of Paul Schwartz (the “Account Owner”) at the [REDACTED] (the “Bank”).²

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 to the Holocaust Claims Processing Office (“HCPO”) asserting that her father, Pal Schwartz (Schvarc, Schwarcz), who was born on 25 November 1890 in Nyiregyhaza, Hungary, and was married to [REDACTED], née [REDACTED], in 1922, owned a Swiss bank account. The Claimant stated that her father, who was Jewish, was a Hungarian citizen. In addition, the Claimant stated that her father was a banker, who also owned an import-export business in Budapest, Hungary. The Claimant also stated that her father may have opened an account in Switzerland in her name.³ Finally, the Claimant stated that her father resided in Budapest until he was deported to the Buchenwald concentration camp, where he perished in 1945. The Claimant indicated that she was born on 17 August 1937 in Budapest.

¹ The Claimant submitted a claim, numbered B-01323, on 21 September 1998, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 601290.

² The CRT did not locate an account belonging to Pal Schwartz, or to Pal (Paul) Schvarc (Schwarcz), 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”).

³ The CRT did not locate an account belonging to Edith Schwartz (Schvarc or Schwarcz) in the Account History Database prepared pursuant to the ICEP Investigation.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Pal Schwartz (Schvarc, Schwarcz). 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 four accounts whose owner's name matches those 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 5024682, 5029655, 5032930 and 5035963

The Bank's records indicate that the Account Owner was Paul Schwartz, who resided in Strasbourg, France. The Bank's records also indicate the Account Owner's street address, professional title, and occupation. Furthermore, the Bank's records indicate the dates of opening of two of the accounts at issue. Finally, the Bank's records contain the Account Owner's signature sample.

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 father matches the published name of the Account Owner, the information provided by the Claimant differs from the published and unpublished information about the Account Owner available in Bank's records. Specifically, the Claimant stated that her father was Hungarian, and that he owned a business in Budapest. In contrast, the Bank's records show that the Account Owner resided in a different country. In addition, the Claimant did not indicate that her father used a professional title. By contrast, the Bank's records show that the Account Owner used such a title. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father are the same person.

The CRT has taken utmost care in matching the names of the person identified by the Claimant as a possible account owner to names of actual account owners identified in the Account History Database prepared pursuant to the ICEP Investigation, which identified accounts probably or possibly belonging to Victims of Nazi Persecution, as defined in the Rules. The CRT uses advanced name matching systems that consider variations of names, including name variations provided by Yad Vashem, Israel, to ensure that all possible name matches are identified. The CRT has reviewed this claim carefully and analyzed matches to accounts belonging to account owners with alternative spellings of Pal Schwartz's (Schvarc, Schwarcz) surnames, which

include Schwarz, and has determined that these accounts do not belong to the Claimant's relative.

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 Numbers, or the alternative surname of the Account Owner identified above, which form 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 2005