

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Gustav Grossman

**Claimed Account Owners: Henry Schwarz, Alfred Schwarz,
Samual Schwarz and Emanuel Schwarz¹**

Claim Number: 224120/RT

This Certified Denial is to the claim of Gustav Grossman (the “Claimant”) to Swiss bank accounts potentially owned by the Claimant’s relatives, Henry (Chaim) Schwarz (Schwartz); Alfred Schwarz (Schwartz); Samual Schwarz (Schwartz) and Emanuel Schwarz (Schwartz) (the “Claimed Account Owners”).

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 stating that Henry Schwarz, who was Jewish, resided in Nove Zamky, Czechoslovakia (Ersekujvar, Hungary until 1918 and between 1938 and 1945, now Slovakia). The Claimant further stated that Alfred Schwarz, Samual Schwarz and Emanuel Schwarz were Henry Schwarz’ sons. The CRT notes that the Claimant did not provide any further information about Alfred Schwarz, Samual Schwarz and Emanuel Schwarz but indicated that his relatives resided in Czechoslovakia.

The CRT’s Investigation

The CRT matched the names of Henry (Chaim) Schwarz (Schwartz); Alfred Schwarz (Schwartz); Samual Schwarz (Schwartz) and Emanuel Schwarz (Schwartz) to the names of all account owners in the Account History Database and identified accounts belonging to individuals whose names match, or are substantially similar to, the name of the Claimed Account Owners. In doing so, the CRT used advanced name matching systems and computer programs, and considered variations of names, including name variations provided by Yad Vashem, The Holocaust Martyrs’ and Heroes’ Remembrance Authority, in Jerusalem, Israel, to ensure that all possible name matches were identified. However, a close review of the relevant bank records

¹ The Claimant should note that this determination relates only to the Claim Number and Claimed Account Owners stated above, and that the CRT is aware that the Claimant may have submitted other claims.

indicated that the information contained therein was inconsistent with the information the Claimant provided regarding the Claimed Account Owners. Accordingly, the CRT was unable to conclude that any of these accounts belonged to the Claimed Account Owners.

The CRT's Analysis

Identification of the Account Owners

The list below contains names of account owners that match the names of the Claimed Account Owners and the reasons why the CRT has concluded that the Claimed Account Owners and an account owner are not the same person. If an account owner's place of residence was published, that place of residence is also listed.

Name: Heinrich Schwarz (Czechoslovakia)

Account Identification Number: 1001347

Specifically, the Claimant stated that his relative, Henry Schwarz, resided in Nove Zamky, Czechoslovakia. In contrast, the records show that the account owner resided in a different city which is over 400 kilometers from Nove Zamky.

Name: Heinrich Schwarz (Dusseldorf, Germany)

Account Identification Numbers: 1012931; 1012932

Specifically, the Claimant stated that his relative, Henry Schwarz, resided in Czechoslovakia. In contrast, the records show that the account owner resided in Germany.

Name: Heinrich Schwarz

Account Identification Number: 4020399

Specifically, the Claimant stated that his relative, Henry Schwarz, resided in Czechoslovakia. In contrast, the records show that the account owner resided in a different country.

Name: A. Schwarz (Germany)

Account Identification Number: 1011299

Specifically, the Claimant indicated that his relative, Alfred Schwarz, resided in Czechoslovakia. In contrast, the records show that the account owner had a different first name and resided in Germany.

Name: Alfred Schwarz (Austria)

Account Identification Numbers: 1012287; 1012288; 1012289

Specifically, the Claimant indicated that his relative, Alfred Schwarz, resided in Czechoslovakia. In contrast, the records show that the account owner resided in Austria.

Name: Samuel Schwarcz (Budapest, Hungary); Samune Schwarcz (power of attorney holder)

Account Identification Number: 5024083

Specifically, the Claimant stated that his relative, Samuel Schwarz, resided in Nove Zamky, Czechoslovakia (Ersekujvar, Hungary until 1918 and between 1938 and 1945). In contrast, the records show that the account owner resided in Budapest, which is over 100 kilometers from

Nove Zamky. The CRT notes that Nove Zamky and Budapest both are major cities, thus rendering it unlikely that a resident of Nove Zamky would indicate Budapest as his or her place of residence even for the purpose of maintaining a Swiss bank account.

Name: Emanuel Schwarz (Vienna, Austria); Leopoldine Schwarz (power of attorney holder)

Account Identification Numbers: 5023683; 5029288

Specifically, the Claimant indicated that his relative, Emanuel Schwarz, resided in Czechoslovakia. In contrast, the records show that the account owner resided in Austria.

The Claimant should note that all accounts awarded by the CRT are published upon release on the CRT's website at www.crt-ii.org.

Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules Governing the Claims Resolution Process, as amended (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 CRT now considers the Claimant's claim to the accounts of Henry Schwarz, Alfred Schwarz, Samuel Schwarz and Emanuel Schwarz closed. Please note that this decision applies only to the Claim Number and Claimed Account Owners identified herein, and that the CRT is aware that the Claimant may have claimed accounts held by other persons or entities both in the Claim Number specified above and in other claims submitted to the CRT.

Certification of the Denial

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal
29 September 2008