

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED 1]  
also acting on behalf of [REDACTED 2]

**in re Account of Josef Sinzinger and Josef Senger**

Claim Number: 210914/AY<sup>1,2</sup>

This Certified Denial is based on the claim of [REDACTED 1] (the “Claimant”) to the published account of Josef Sinzinger (“Account Owner 1”) at the Zurich branch of the [REDACTED] (“Bank I”) and to the published account of Josef Senger (“Account Owner 2”) at the [REDACTED] (“Bank II”)

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 his paternal grandfather, Josef Sinzinger (also known as Zinger, Singer, Senger and Sanger), who was born in Dzialoszyle, Poland, and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that his grandfather changed his last name at various points in his life. The Claimant stated that Josef Sinzinger, who was Jewish, resided in Dzialoszyle, where he was a shoemaker and shoe repairman. The Claimant stated that his grandfather and his grandfather’s family perished in concentration camps, except for the Claimant’s father, who was deported to Auschwitz but

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<sup>1</sup> In this claim, the Claimant also claimed the accounts of [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED] and [REDACTED]. The CRT will treat the claims to these accounts in separate decisions.

<sup>2</sup> The Claimant submitted an Initial Questionnaire with the Court in 1999, an ATAG Ernst & Young claim form in 1998, and a Claim Form to the CRT. The CRT is treating the Initial Questionnaire and the Claim Form under the consolidated Claim Number 210914. In the Claim Form, the Claimant claimed accounts belonging to [REDACTED] and [REDACTED]. The CRT did not locate any accounts belonging to the Claimant's relatives, [REDACTED] or [REDACTED], 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”).

survived. During a telephone conversation with the CRT on 8 August 2003, the Claimant stated he was unable to provide any further documentation indicating the last name Sinzinger. The Claimant indicated that he was born on 22 March 1965 in Toronto, Ontario, Canada. The Claimant is representing [REDACTED 2], née [REDACTED], his mother, who was born on 1 February 1927 in Germany.

The Claimant submitted documents in support of his application, including: (1) a certified copy of his father's will, in which the Claimant is named as [REDACTED]'s son and [REDACTED 2] is named as [REDACTED]'s wife; (2) his father's documents relating to compensation ("*Wiedergutmachung*") from the German government; and (3) correspondence from his local synagogue in 1994 reminding [REDACTED] about the memorial day of his father, Josef Singer, indicating that Josef Singer was the Claimant's grandfather.

### **Information Available in the Bank's Records**

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Josef Sinzinger (also known as Zinger, Singer, Senger and Sanger). 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 owners' names match 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.

#### Account 4023084

Bank 1's records indicate that Account Owner 1 was Josef Sinzinger.

#### Account 1001273

Bank 2's records indicate that Account Owner 2 was Josef Senger. Bank 2's records also indicate the name of a joint account owner and Account Owner 2's and the joint account owner's street address, city and country of residence. Finally, the Bank's records contain Account Owner 2's and the joint account owner's signature samples which were provided to Bank 2 after 1945.

### **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

As for Account 4023084, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his grandfather matches the published name of Account Owner 1, the information provided by the Claimant differs from the published information about Account Owner 1 available in Bank 1's records. Specifically, while Bank 1's records indicate that Account Owner 1's last name was Sinzinger, all the documents submitted by the Claimant indicate the last name Singer. Specifically, the reminder from the local synagogue regarding the Claimant's grandfather's memorial day identifies him as Josef Singer. Moreover, the CRT notes that the Claimant did not identify the name Sinzinger until after its publication in February 2001. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's grandfather are the same person.

As for Account 1001273, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his grandfather matches the published name of Account Owner 2, the information provided by the Claimant differs from the published information about Account Owner 2 available in Bank 2's records. Specifically, while Bank 2's records indicate that Account Owner 2's last name was Senger, all the documents submitted by the Claimant indicate the last name Singer. Specifically, the reminder from the local synagogue regarding the Claimant's grandfather's memorial day identifies him as Josef Singer. In addition, the CRT notes that the Claimant did not identify the joint account owner as his relative nor did he indicated any connection to Account Owner's 2 and the joint account owner's place of residence. Moreover, the Claimant indicated that his relative perished in the Holocaust while Bank 2's records contain Account Owner's 2 signature, which was provided to Bank 2 after 1945. Consequently, the CRT concludes that Account Owner 2 and the Claimant's grandfather are not 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 his 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 August 2004