

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Salamon Spiegel

Claim Number: 601158/SB^{1,2}

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the accounts of Salamon Spiegel and Szeren Spiegel. The CRT did not locate an account belonging to Szeren Spiegel 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”). This Denial is to the published accounts of Salamon Spiegel (the “Account Owner”) at the [REDACTED] (the “Bank”).

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 to the Holocaust Claims Processing Office (“HCPO”) asserting that her husband’s grandfather, Salamon Spiegel, who was married to [REDACTED], née [REDACTED], owned a Swiss bank account. The Claimant stated that her husband’s grandfather, who was Jewish, resided at Kossuth Lajos Utca 65 in Vasarosnameny, Hungary. The Claimant also stated that Salamon Spiegel was killed in Auschwitz in 1944. The Claimant indicated that she was born in 1924 in Brezyne, Poland.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Salamon Spiegel.

¹ The Claimant submitted a claim, numbered B-00353, on 24 November 1997, 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 601158.

² The Claimant submitted an Initial Questionnaire with the Court in 1999 to the account of Salamon Spiegel and Szeren Spiegel. The CRT is treating the Initial Questionnaire under the consolidated Claim Number 601158.

The Claimant submitted documents in support of her application, including the death certificate of the Claimant's husband.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Salamon Spiegel. The auditors who carried out the ICEP Investigation reported three accounts whose owner's name matches that provided by the Claimant. Upon review of the bank documents, the CRT also located one additional account that was not reported by the auditors. 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 5029606, 5023919, 5023919.1 and 5026453

The Bank's records indicate that the Account Owner was Salamon Spiegel, who resided in Humenne, Czechoslovakia, and that the Power of Attorney Holders were Lenke Kroo-Spiegel, Ludowit Spiegel, and Vojtech Spiegel. The Bank's records also indicate the Account Owner's wife's full name, the name of the Account Owner's son, and the Account Owner's relationship to the Power of Attorney Holders.

The CRT's Analysis

Admissibility of the Claim

The CRT has determined that the claim is admissible according to Article 18 of 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 relative 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 the Bank's records. Specifically, the Claimant stated that her relative was married to [REDACTED], née [REDACTED], and resided at Kossuth Lajos Utca 65 in Vasarosnameny, Hungary. In contrast, the Bank's records show that the Account Owner resided in a different city and country, and was married to a different person. In addition, the Claimant did not identify the names of the Power of Attorney Holders although they shared the same last name as the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's husband's grandfather are the same person. Moreover, it should be noted that the CRT has determined that another claimant has plausibly identified the Account Owner as her relative. All decisions are published upon release on the CRT's website at www.crt-ii.org.

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 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 2004