

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

**in re Account of Frieda Stein
and
Account of Frida Stein**

Claim Number: 601541/SB¹

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the account of Frieda Stein, née Ralsky.² This Denial is to the published account of Frieda Stein (“Account Owner 1”) at the [REDACTED] (“Bank 1”), and to the published account of Frida Stein³ (“Account Owner 2”) at the [REDACTED] (“Bank 2”).⁴

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 owners, and the banks have been redacted.

Information Provided by the Claimant

The Claimant submitted a claim to the Holocaust Claims Processing Office (“HCPO”) asserting that her paternal aunt, Frieda Stein, née Ralsky, who was born during the early 1900s, owned a Swiss bank account. The Claimant stated that her aunt, who was Jewish, moved to London, the United Kingdom, before the Second World War, and that she resided in London and Brighton, the United Kingdom, thereafter. In addition, the Claimant stated that her aunt and the Claimant’s father, Sholem Ralsky, agreed to open an account in Switzerland on his behalf, and that her aunt may have provided the Claimant’s father’s details, including his places of residence, when opening the account. The Claimant further stated that her father was born in Grodno, Russia (today Belarus), and later lived in London, Berlin, Germany and Kaunas, Lithuania. The

¹ The Claimant submitted a claim, numbered B-02105, on 22 November 1999, 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 601541.

² The CRT did not locate an account belonging to Frieda Ralsky 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 notes that this account was published under the name of another individual, who jointly owned the account at issue with Frida Stein and three other persons.

⁴ In this claim, the Claimant also claimed the account of Sholem (Salomon) Ralsky (Ralski). The CRT will treat the claim to this account in a separate determination.

Claimant further indicated that her father was murdered by the Nazis in March 1944. Moreover, the Claimant stated that her aunt passed away in Brighton sometime before 1964. The Claimant indicated that she was born on 3 October 1927 in Kaunas.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Frieda Stein. 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 that 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 1000189

Bank 1's records indicate that Account Owner 1 was Frieda Stein, who resided in Germany. Bank 1's records also indicate Account Owner 1's city of residence in Germany, and another city and country of residence for Account Owner 1. In addition, Bank 1's records indicate the name of an individual who jointly owned the account at issue with Account Owner 1. Furthermore, Bank 1's records indicate the date of closing of the account at issue.

Account 1000424

Bank 2's records indicate that Account Owner 2 was Frida Stein. Bank 2's records also indicate Account Owner 2's city and country of residence, and the names of four individuals who jointly owned the account at issue with Account Owner 2. Finally, Bank 2's records contain signature samples of Account Owner 2 and the four other individuals with whom she jointly held the account.

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 Owners

As for Account 1000189, the CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Although the name of her aunt matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the unpublished information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant stated that her aunt resided in the United Kingdom, and that her father, whose places of residence may have been provided to the bank, resided in the United Kingdom, Berlin, Germany and

Lithuania. In contrast, Bank 1's records show that Account Owner 1 resided in a different city in Germany, which is located over 500 kilometers from Berlin, and to which the Claimant established no connection. In addition, the CRT notes that the Claimant did not identify either Account Owner 1's second country of residence or the individual with whom Account Owner 1 jointly held the account, even though that person appears to be related to Account Owner 1. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's aunt are the same person.

As for Account 1000424, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the name of her aunt matches the unpublished name of Account Owner 2, the information provided by the Claimant differs materially from the unpublished information about Account Owner 2 available in Bank 2's records. Specifically, the Claimant stated that her aunt resided in the United Kingdom, and that her father, whose places of residence may have been provided, resided in the United Kingdom, Germany and Lithuania. In contrast, Bank 2's records show that Account Owner 2 resided in another country, which the Claimant did not identify. In addition, the CRT notes that the Claimant did not identify the four individuals with whom Account Owner 2 jointly held the account. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's aunt are 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 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 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
21 September 2005