

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

**in re Account of A. Stern
and
Accounts of Alex Stern
and
Account of Joseph Stern
and
Accounts of Alice Stern**

Claim Numbers: 221329/AE; 601153/AE^{1, 2}

This Certified Denial is based on the claims of [REDACTED], née [REDACTED], (the “Claimant”) to accounts of Alice Kranzthor, née Stern, Joseph Stern, and Alexander Stern. This Denial is to the published account of A. Stern (“Account Owner 1”) at the [REDACTED] (“Bank 1”), the published account of Alex Stern (“Account Owner 2”) at Bank 1, the published account of Alex Stern (“Account Owner 3”) at the [REDACTED] (“Bank 2”), the published account of Joseph Stern (“Account Owner 4”) at Bank 1, the published accounts of Alice Stern (“Account Owner 5”) at Bank 1, and to the published account of Alice Stern (“Account Owner 6”) at Bank 2.^{3, 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.

¹ The Claimant submitted a claim, numbered B-00694, on 20 February 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 601153.

² According to Article 37 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the two claims of the Claimant in one proceeding.

³ In these claims, the Claimant also claimed accounts belonging to Nicholas (Miklos) Kranzthor, Ladislaus Stern, Zoltan Stern, or held under the name of A. Streichenberg. The CRT will treat the claims to these accounts in separate determinations.

⁴ The CRT did not locate an account belonging to Alice Kranzthor 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”).

Information Provided by the Claimant

The Claimant submitted a Claim Form and a claim to the Holocaust Claims Processing Office (“HCPO”) asserting that her mother, Alice Kranzthor, née Stern, who was born on 1 October 1901 in Carei, Romania (formerly Hungary), and was married to [REDACTED] on 27 July 1920 or 1921 in Zalau, Romania, owned a Swiss bank account. The Claimant further asserted that her maternal uncles, Alexander Stern and Joseph Stern, owned Swiss bank accounts. The Claimant indicated that her father, [REDACTED], was a lumber dealer and owned a forty percent share in *La Roche & Kranzthor*, a joint venture between her father and the Swiss La Roche family. The Claimant further indicated that her father deposited money in a Swiss bank, and that the account might have been opened under the names of her mother or her maternal uncles, Alexander Stern and Joseph Stern. The Claimant further indicated that her family resided in Oradea, Romania (formerly Hungary). The Claimant did not provide additional information regarding her maternal uncles, but indicated that, in 1944, she and her parents, who were Jewish, were forced into the Oradea ghetto. Moreover, the Claimant indicated that her father perished at the Buchenwald concentration camp. In addition, the Claimant indicated that she and her mother were also deported to a concentration camp, that her mother survived the Second World War, and that she died in Milwaukee, Wisconsin, the United States, on 24 March 1983. The Claimant indicated that she was born on 26 March 1924 in Oradea.

The Claimant previously submitted three Initial Questionnaires with the Court in 1999 and an ATAG Ernst & Young claim form in 1998, asserting her entitlement to a Swiss bank account owned by Nicholas (Miklos) Kranzthor and Alice Kranzthor, née Stern.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted claims to accounts belonging to her relatives, Alice Kranzthor, née Stern, Alexander Stern and Joseph Stern. 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 seven 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 1013656

Bank 1’s records indicate that Account Owner 1 was A. Stern, who resided in Germany. Bank 1’s records further indicate Account Owner 1’s city of residence, and the dates of opening and closing of the account at issue.

Accounts 1014033

Bank 1’s records indicate that Account Owner 2 was Alex Stern, who resided in Italy. Bank 1’s records further indicate Account Owner 2’s city of residence, and the dates of opening and

closing of the account at issue.

Account 5036042

Bank 2's records indicate that Account Owner 3 was Alex Stern, who resided in San Remo, Italy. Bank 2's records further indicate the name of an individual who held power of attorney over the account, as well as that person's street address, city and country of residence.

Account 1014043

Bank 1's records indicate that Account Owner 4 was Joseph Stern, who resided in Germany. Bank 1's records further indicate Account Owner 4's city of residence, and the dates of opening and closing of the account at issue.

Accounts 1014035 and 1014036

Bank 1's records indicate that Account Owner 5 was Alice Stern, who resided in Austria. Bank 1's records further indicate Account Owner 5's city of residence. Furthermore, Bank 1's records indicate the dates of opening and closing of the accounts at issue.

Account 5024212

Bank 2's records indicate that Account Owner 6 was Alice Stern, who resided in Bordeaux, France. Bank 2's records further indicate Account Owner 6's street address, and another city and country of residence for Account Owner 6.

The CRT's Analysis

Admissibility of the Claims

The CRT has determined that, for purposes of issuing this Certified Denial, the claims are 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 1013656, the CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Although the names of both her mother and uncle match the published name of Account Owner 1, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant indicated that her family resided in Oradea, Romania (formerly Hungary). In contrast, Bank 1's records show that Account Owner 1 resided in a city in Germany, to which the Claimant established no connection. Consequently, the CRT is unable to conclude that Account Owner 1 and either the Claimant's mother or uncle are the same person.

As for Account 1014033, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the name of her uncle matches the published name of Account Owner 2, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 2 available in Bank 1's records. Specifically, the Claimant indicated that her family resided in Oradea, Romania (formerly Hungary). In contrast, Bank 1's records show that Account Owner 2 resided in Italy, to which the Claimant established no connection. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's uncle are the same person.

As for Account 5036042, the CRT concludes that the Claimant has not identified Account Owner 3 as her relative. Although the name of her uncle matches the published name of Account Owner 3, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 3 available in Bank 2's records. Specifically, the Claimant indicated that her family resided in Oradea, Romania (formerly Hungary). In contrast, Bank 2's records show that Account Owner 3 resided in San Remo, Italy, to which the Claimant established no connection. Furthermore, the CRT notes that the Claimant did not identify the individual who held power of attorney over the account at issue, even though this individual appears to be related to Account Owner 3. Consequently, the CRT is unable to conclude that Account Owner 3 and the Claimant's uncle are the same person.

As for Account 1014043, the CRT concludes that the Claimant has not identified Account Owner 4 as her relative. Although the name of her uncle matches the published name of Account Owner 4, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 4 available in Bank 1's records. Specifically, the Claimant indicated that her family resided in Oradea, Romania (formerly Hungary). In contrast, Bank 1's records show that Account Owner 4 resided in a city in Germany, to which the Claimant established no connection. Consequently, the CRT is unable to conclude that Account Owner 4 and the Claimant's uncle are the same person.

As for Accounts 1014035 and 1014036, the CRT concludes that the Claimant has not identified Account Owner 5 as her relative. Although the name of her mother matches the published name of Account Owner 5, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 5 available in Bank 1's records. Specifically, the Claimant indicated that her mother resided in Oradea, Romania (formerly Hungary). In contrast, Bank 1's records show that Account Owner 5 resided in Austria, to which the Claimant established no connection. Consequently, the CRT is unable to conclude that Account Owner 5 and the Claimant's mother are the same person.

As for Account 5024212, the CRT concludes that the Claimant has not identified Account Owner 6 as her relative. Although the name of her mother matches the published name of Account Owner 6, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 6 available in Bank 2's records. Specifically, the Claimant indicated that her mother resided in Oradea, Romania (formerly Hungary). In contrast, Bank 2's records show that Account Owner 6 resided in Bordeaux, France, and in another country, neither of which the Claimant identified as her mother's place of

residence. Consequently, the CRT is unable to conclude that Account Owner 6 and the Claimant's mother 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 claims 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