

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Anne-Marie Sternberg

Claim Number: 220852/AY¹

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the published account of Anne-Marie Sternberg (the “Account Owner”) at the Geneva branch of 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 asserting that her paternal grandmother, Hanna (Anne-Marie) Ellenbogen, née Sternberg, who was born in Romania and was married to [REDACTED], owned a Swiss bank account. The Claimant indicated that her grandparents, who resided in Cernovitz, Romania, and later in Yurkautz, Romania, were Jewish and had two children: [REDACTED], who is the Claimant’s father, and [REDACTED], who was murdered by the Nazis. The Claimant could not indicate the date of death of her grandmother, though she indicated that her father, [REDACTED], had to hide from the Nazis after his businesses were confiscated by them and that he died in 1940. In e-mail correspondence with [REDACTED], the Claimant’s granddaughter, dated 23 May 2003 and 29 May 2003, the Claimant’s granddaughter indicated that the Claimant was named after her grandmother, Hanna. The Claimant indicated that she was born on 23 October 1914 in Yurkautz.

The Claimant submitted documents in support of her application, including: (1) her identity card indicating her name as [REDACTED] and containing her signature; and (2) photographs of her relatives and herself which indicate the Claimant’s name, [REDACTED].

Information Available in the Bank’s Records

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

¹ The Claimant submitted an additional claim to the account of [REDACTED] which is registered under the Claim Number 220853. The CRT will treat the claim to this account in a separate decision.

Hanna (Anne-Marie) Ellenbogen, née Sternberg. 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 one account whose owner’s name matches that provided by the Claimant. The 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 4021425

The Bank’s records indicate that the Account Owner was Anne-Marie Sternberg.

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

The CRT concludes that the Claimant has not identified the Account Owner as her relative. The CRT notes that although the Claimant claimed the published account of Anne-Marie Sternberg, suggesting that the alternative first name and maiden name of her grandmother match the published name of the Account Owner, the information provided by the Claimant differs from the published information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her grandmother’s name was Hanna, and that she herself was named after her grandmother. The Claimant submitted documents which indicate that her first name is Ana. The Claimant did not provide any documents to demonstrate that her grandmother had the first name Anne-Marie. In contrast, the Bank's records indicate that the Account Owner’s first name was Anne-Marie. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandmother 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 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
18 August 2004