

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Eva Vayda

in re Accounts of Eva Vajda

Claim Number: 205048/SB¹

This Certified Denial is based on the claim of Eva Vayda, née Weisz, (the “Claimant”) to the account of Eva Vayda (Vajda, Weisz).² This Denial is to the published accounts of Eva Vajda (the “Account Owner”) at the [REDACTED] (the “Bank”).

All denials are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form asserting that she, the Claimant, who was born on 12 April 1926 in Hungary, owned a Swiss bank account. The Claimant stated that she is Jewish and that she resided in Debrecen and Mezobereny Hungary until 1944, when she was deported to a ghetto and then to Auschwitz.

The Claimant submitted documents in support of her claim, including her Mauthausen identify card, issued 9 June 1945, which indicates her name as Eva Weisz and her date and place of birth.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to herself, Eva Vajda. 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 three accounts whose owner’s name match that provided

¹ The Claimant submitted an Initial Questionnaire to the Court in 1999 and a Claim Form to the CRT. The CRT is treating the Initial Questionnaire and the Claim Form under the consolidated Claim Number 205048. In the Initial Questionnaire, the Claimant claimed accounts belonging to Fulop Weisz and Rosalia Weisz. The CRT will treat the claim to these accounts in a separate determination.

² The CRT did not locate an account belonging to Eva Vayda (Weisz) 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”).

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.

Accounts 5033635, 5033637 and 5033638

The Bank's records indicate that the Account Owner was Eva Vajda. The Bank's records also indicate the Account Owner's street address, city and country of residence, the name of a power of attorney holder, together with the dates of opening and closing of the accounts at issue. Finally, the Bank's records contain the signatures of the Account Owner and the power of attorney holder and the date on which the Account Owner provided her signature.

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 herself. Although the Claimant's name matches the published name of the Account Owner, the information provided by the Claimant differs materially from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that she was born in 1926 and that her married name was Vajda. In contrast, the Bank's records show that the Account Owner had the family name Vajda at a time when the Claimant was still a young child. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant are the same person.

Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules, the Claimant may appeal this decision or submit a request for reconsideration within ninety (90) days of the date of the letter accompanying this decision.

An appeal must be based upon a plausible suggestion of error regarding the CRT's conclusions set out in this decision. Any appeals which are submitted without a plausible suggestion of error shall be summarily denied. A request for reconsideration must be based on new documentary evidence not previously presented to the CRT that, if considered, would have led to a different outcome of the claim. Claimants should briefly explain the relevance of the newly submitted documents in view of the conclusions stated in the certified decision.

The Claimant should send appeals and/or requests for reconsideration in writing to the following address: Oren Wiener, Claims Resolution Tribunal, Attention: Appeals / Request for Reconsideration, P.O. Box 9564, 8036 Zurich, Switzerland. If more than one account has been treated in this decision, the Claimant should identify the account, including, where available, the

Account Identification Number, that forms the basis of the appeal and/or request for reconsideration.

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
19 March 2007