

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

## **in re Accounts of Hedwig Rosenthal**

Claim Numbers: 213974/SB; 600249/SB

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the accounts of Hedwig Rosenthal and Leopold Rosenthal. The CRT did not locate an account belonging to Leopold Rosenthal 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 Hedwig Rosenthal (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 asserting that her mother, Hedwig Rosenthal, née Papp, who was born on 12 July 1882 in Frankfurt, Germany, and was married to [REDACTED] on 10 July 1910, owned a Swiss bank account. The Claimant stated that her parents lived in Berlin Schmargen-Dorf, Germany, from 1935 to 1938 and that they fled to the Netherlands in 1938, where they resided until 1944. The Claimant provided exact street addresses of her parents. According to the Claimant, her mother, who was Jewish, was arrested in 1944 and deported to Auschwitz, where she perished. The Claimant indicated that she is the only daughter of her parents and was born on 25 November 1921 in Dortmund, Germany.

The Claimant submitted documents in support of her application, including: (1) a copy of the family registration; and (2) a page of a family book indicating the Claimant’s marriage date.

### **Information Available in the Bank’s Records**

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Hedwig Rosenthal. The auditors who carried out the ICEP Investigation reported four accounts

whose owner's name matches 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.

Accounts 5024770, 5025681, 5033724, 5033725

The Bank's records indicate that the Account Owner was Hedwig Rosenthal, who resided in Karlsruhe, Germany. The Bank's records also indicate the name of an individual who jointly owned several of the accounts, and who appears to be related to the Account Owner. Furthermore, the Bank's records indicate the Account Owner's street address and dates of closing of the accounts at issue. Finally, the Bank's records contain the Account Owners' signatures.

## **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 mother 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 mother resided in Berlin from 1935 to 1938 in the Netherlands from 1938 until 1944. In contrast, the Bank's records show that the Account Owner resided in Karlsruhe, Germany. In addition, the Claimant did not identify the name of a person who held the accounts jointly with the Account Owner and who appears to be the Account Owner's relative. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's mother are the same person. Moreover, it should be noted that the CRT awarded the accounts to another claimant who plausibly identified the Account Owner as her relative. All decisions are published upon release on the CRT's website at [www.crt-ii.org](http://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  
19 November 2004