

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Madeline Elisabeth Heumann

in re Account of Siegmund Baer

Claim Number: 215394/MG¹

This Certified Denial is based on the claim of Madeline Elisabeth Heumann, née Baer, (the “Claimant”) to the account of Siegmund Baer. This Denial is to the published account of Siegmund Baer (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 identifying the Account Owner as her father, Siegmund Baer, who was born on 27 February 1901 in Untergrombach, Germany, and was married to Bella Baer, née Elkan, on 12 February 1933 in Germany. The Claimant stated that her father, who was Jewish, was a steel trader, and that he resided between 1933 and 1939 in St. Louis, France, where he owned a metal business. According to the Claimant, in 1939 her father fled to La Bourboule, France, where he remained until 1941, when he fled to the United States. The Claimant stated that her father died on 10 March 1975 in New York, New York, the United States. The Claimant indicated that she was born on 23 October 1933 in Mulhouse, France.

The Claimant submitted a copy of her mother’s death certificate in support of her application.

Information Available in the Bank’s Records

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

¹ The Claimant submitted an additional claim to the account of her grandfather, Albert Elkan, which is registered under the Claim Number 215393. The CRT has awarded the accounts of Albert Elkan to the Claimant. This award was approved by the court on 22 December 2003. See *In re Account of Albert Elkan*.

provided by the Claimant.² One 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 1000040

The Bank's records indicate that the Account Owner was Siegmund Baer, who resided in Germany. The Bank's records also indicate the Account Owner's city of residence. Furthermore, the Bank's records indicate the dates of opening and closing of the account at issue.

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. Although the name of her father 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 her father resided in St. Louis, France between 1933 and 1939. In contrast, the Bank's records show that during this period the Account Owner resided in a city in Germany, which was not identified by the Claimant and to which the Claimant did not establish any connection. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father are the same person. Moreover, it should be noted that the CRT has awarded the account to another claimant, who plausibly identified the Account Owner as his relative. All decisions are published upon release on the CRT's website at 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.

² This Certified Denial addresses only one account held by Siegmund Baer. The second account held in that name will be treated in a separate decision.

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
31 March 2005