

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

**Claimed Account Owner: Adolph Hoffmann<sup>1</sup>**

Claim Number: 400746/SU

This Certified Denial is to the claim of [REDACTED] (the “Claimant”) to the Swiss bank account A. Hoffmann, as published on the list of power of attorney holders in 2005, and potentially owned by the Claimant’s relative, Adolph Hofmann (Hoffmann) (the “Claimed Account Owner”).

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 stating that her paternal grandfather, Adolph Hofmann (Hoffmann), was Jewish, and that he may have been the power of attorney holder to an account owned by his wife, Sophie Hofmann (Hoffmann). The Claimant stated that her grandfather resided in Egelsbach, Germany, until 1940, and in Darmstadt, Germany, until 1942. The Claimant provided no information as to the ultimate fate of her grandfather, but stated that her grandmother, [REDACTED], perished in Theresienstadt in 1943.

## **The CRT’s Investigation**

The CRT matched the name of Adolph Hofmann (Hoffmann) to the names of all account owners in the Account History Database and identified accounts belonging to individuals whose names match, or are substantially similar to, the name of the Claimed Account Owner. In doing so, the CRT used advanced name matching systems and computer programs, and considered variations of names, including name variations provided by Yad Vashem, The Holocaust Martyrs’ and Heroes’ Remembrance Authority, in Jerusalem, Israel, to ensure that all possible name matches were identified. However, a close review of the relevant bank records indicated that the information contained therein was inconsistent with the information the Claimant provided

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<sup>1</sup> The Claimant should note that this determination relates only to the Claim Number and Claimed Account Owner stated above, and that the CRT is aware that the Claimant may have submitted other claims.

regarding the Claimed Account Owner. Accordingly, the CRT was unable to conclude that any of these accounts belonged to the Claimed Account Owner.

## **The CRT's Analysis**

### Identification of the Account Owner/Power of Attorney Holder

The list below contains names of account owners/power of attorney holders that match the name of the Claimed Account Owner and the reasons why the CRT has concluded that the Claimed Account Owner and an account owner/power of attorney holder are not the same person. If an account owner's or power of attorney holder's place of residence was published, that place of residence is also listed.

*Name: A. Hoffmann (power of attorney holder)*

*Account Identification Number: 5029412*

*Specifically, the Claimant stated that her grandfather, Adolph Hofmann (Hoffmann), may have been power of attorney holder to an account held by his wife, Sophie Hofmann (Hoffmann). The Claimant stated that her grandfather resided in Egelsbach, Germany, until 1940, and in Darmstadt, Germany, until 1942, and that his wife perished in Theresienstadt in 1943. In contrast, the records show that the power of attorney holder resided in a different city, which is over 150 kilometers from both Egelsbach and Darmstadt. The CRT notes that the account was not held by Sophie Hofmann (Hoffmann), but by another person, whom the Claimant did not identify. The CRT also notes that all the documentation submitted by the Claimant, including a handwritten note written by [REDACTED] that includes the spelling of her last name in her own handwriting, indicates that the Claimant's relative's last name was spelled "[REDACTED]." In contrast, the power of attorney holder signed his last name "Hoffmann." In addition, the CRT notes that the Claimant did not identify the account owner, and that under Swiss law, a power of attorney holder is not considered to be the owner of an account. After a power of attorney holder dies, his or her powers in an account no longer exist, and they do not pass to his or her heirs. Therefore, even if the Claimant had identified the power of attorney holder, but not the account owner, as their relative, the Claimant would not have been entitled to the account unless there was evidence in the bank's records that the power of attorney holder and the account owner were related.*

*Name: A. Hoffmann (power of attorney holder)*

*Account Identification Number: 5029421*

*Specifically, the Claimant stated that her grandfather, Adolph Hofmann (Hoffmann), may have been power of attorney holder to an account held by his wife, Sophie Hofmann (Hoffmann). In contrast, the records show that the power of attorney holder was female, and that the account was not held by Sophie Hofmann (Hoffmann), but by another person, whom the Claimant did not identify. In addition, the CRT notes that the Claimant did not identify the account owner, and that under Swiss law, a power of attorney holder is not considered to be the owner of an account. After a power of attorney holder dies, his or her powers in an account no longer exist, and they do not pass to his or her heirs. Therefore, even if the Claimant had identified the power of attorney holder, but not the account owner, as their relative, the Claimant would not have been*

*entitled to the account unless there was evidence in the bank's records that the power of attorney holder and the account owner were related.*

The Claimant should note that all accounts awarded by the CRT are published upon release on the CRT's website at [www.crt-ii.org](http://www.crt-ii.org).

#### Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules Governing the Claims Resolution Process, as amended (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 CRT now considers the Claimant's claim to the accounts of Adolph Hoffmann closed. Please note that this decision applies only to the Claim Number and Claimed Account Owner identified herein, and that the CRT is aware that the Claimant may have claimed accounts held by other persons or entities both in the Claim Number specified above and in other claims submitted to the CRT.

#### **Certification of the Denial**

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal  
8 August 2007