

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Sigmund Kallmann

Claim Number: 207073/AH

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the accounts of Sigmund Israel Kallmann. This Denial is to the published accounts of Sigmund Kallmann (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 his paternal grandfather, Sigmund Israel Kallmann, who was born on 11 November 1868 in Neuwied, Germany, and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that his grandfather was a cattle dealer and had a dairy supplies business in Vallendar, Germany. The Claimant stated that his grandfather, who was Jewish, fled Germany in 1939 to Cape Town, South Africa. The Claimant further stated that his grandfather died on 20 April 1952 in Lusaka, Zambia. The Claimant stated that he was born on 2 May 1940 in Lusaka.

The Claimant submitted documents in support of his application, including a copy of his grandfather’s passport and a letterhead of his grandfather’s business, indicating that he was a cattle dealer and resided in Vallendar.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Sigmund Kallmann. 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 four accounts whose owner’s name

matches or is substantially similar to that provided by the Claimant.¹ 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 1012424, 1012425 and 1012426

The Bank's records indicate that the Account Owner was Sigmund (also spelt Siegmund) Kallmann, who resided in Germany. The Bank's records also indicate the Account Owner's city of residence and his title. Furthermore, the Bank's records indicate the dates of closing of the accounts 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 his relative. Although the name of his grandfather matches or is substantially similar to 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 indicated that his grandfather was born in Neuwied, Germany and lived in Vallendar, Germany, before he moved to South Africa. The Claimant also stated that his grandfather was a cattle dealer. In contrast, the Bank's records show that the Account Owner resided in a different city, which is located over 400 kilometers from Neuwied or Vallendar, and that he held a title which was not identified by the Claimant and is inconsistent with the Claimant's grandfather's occupation. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandfather are the same person. Moreover, it should be noted that the CRT has awarded the accounts 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.

¹ The CRT notes that on the February 2001 published list of accounts determined by the ICEP to be probably those of victims of Nazi persecution (the "ICEP List"), Sigmund (Siegmund) Kallmann is indicated as having eight accounts. Upon careful review, the CRT has concluded that the Bank's records evidence the existence of only three accounts.

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 his 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