

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]
represented by Craig Alan Silverman

**in re Account of A. Kaufmann
and
Account of Adolf Kaufmann**

Claim Number: 600700/AX¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to an account of Adolf Kaufman (Kaufmann) and Elisabeth Kaufman (Kaufmann), née Kern.² This Denial is to the published account of A. Kaufmann (“Account Owner 1”) at the [REDACTED] (“Bank 1”), and to the published account of Adolf Kaufmann (“Account Owner 2”) at the [REDACTED] (“Bank 2”).

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 are redacted.

Information Provided by the Claimant

The Claimant submitted a Claim to the Holocaust Claims Processing Office (“HCPO”) asserting that his father, Adolf Kaufman (Kaufmann), who was born on 8 September 1905 in Trier, Germany, and was married to [REDACTED], née [REDACTED] on 1 December 1929, owned a Swiss bank account. The Claimant stated that his father, who was Jewish, was a prominent cattle dealer and that he resided in Landau, Germany. The Claimant further stated that his father fled Nazi Germany to the United States, where he died on 18 February 1974 in Denver, Colorado, the United States. The Claimant indicated that he was born on 31 August 1930 in Landau.

The Claimant submitted documents in support of his claim, including his birth certificate, which indicates that his father resided in Landau.

¹ The Claimant submitted a claim, numbered B-01491, on 2 October 1998, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 600700.

² In this claim, the Claimant also claimed the account of Elisabeth Kaufman (Kaufmann), née Kern. The CRT will treat the claim to this account in a separate determination.

Information Available in the Bank Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Adolf (Adolph) Kaufman (Kaufmann). 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 provided by the Claimant. Each account is identified below by its Account Identification Number.

Account 1011237

Bank 1’s records indicate that Account Owner 1 was A. Kaufmann, who resided in Germany. Bank 1’s records also indicate the gender of Account Owner 1. In addition, Bank 1’s records indicate Account Owner 1’s city of residence and Account Owner 1’s professional title. Furthermore, Bank 1’s records indicate the dates of opening and closing of the account at issue.

Account 4019968

Bank 2’s records indicate that Account Owner 2 was Adolf Kaufmann, who resided in Bucharest, Romania. Bank 2’s records also indicate the name of Account Owner 2’s wife and Account Owner 2’s nationality. Furthermore, Bank 2’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 Owners

As for Account 1011237, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his father matches the published first name initial and last name of Account Owner 1, the information provided by the Claimant differs materially from the unpublished information about Account Owner 1 available in Bank 1’s records. Specifically, the Claimant is claiming the account of his father. In contrast, Bank 1’s records show that Account Owner 1 was a woman. Consequently, the CRT concludes that Account Owner 1 and the Claimant’s father are not the same person.

As for Account 4019968, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his father matches the published name of Account Owner 2, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 2 available in Bank 2’s records. Specifically, the Claimant stated that his father resided in Germany before he fled to the United States. In

contrast, Bank 2's records show that Account Owner 2 resided in Romania. Furthermore, the Claimant stated that his father was married to [REDACTED]. In contrast, Bank 2's records show that Account Owner 2 was married to a person with a different name. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's father are the same person.

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 Special Master Michael Bradfield, 51 Louisiana Ave., NW, Washington, DC 20001 USA.

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, which form 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
30 September 2005