

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Jakob Kaufmann

Claim Number: 220573/AH; 781974/AH^{1, 2}

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the accounts of Fayvel Moiseevich Koyfman, Michael (or Meyer) Koyfman and Yakob (or Jakob) Koyfman (or Kaufmann). The CRT did not locate an account belonging to Fayvel Moiseevich Koyfman, Michael (or Meyer) Koyfman and Yakob Koyfman (or Kaufmann) 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 Jakob Kaufmann (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 are redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form asserting that his paternal grandfather, Fayvel Moiseevich Koyfman, who was born in 1873, in Mozyr, Belarus, owned a Swiss bank account. The Claimant further stated that his great-uncle, Yakob (or Jakob) Koyfman (or Kaufmann) could have been the beneficial owner or joint owner of the claimed account. The Claimant stated that his family resided in Mozyr and was the owner of a construction company there. According to the Claimant, his grandfather, who was Jewish, was killed by the Nazis in Mozyr in 1941. The

¹ According to Article 37 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the two claims of the Claimant in one proceeding.

² In 1999 the Claimant submitted an Initial Questionnaire, numbered ENG 0467 138, to the Court in the United States. Although this Initial Questionnaire was not a Claim Form, the Court, in an Order signed on 30 July 2001, ordered that those Initial Questionnaires which can be processed as claim forms be treated as timely claims. Order Concerning Use of Initial Questionnaire Responses as Claim Forms in the Claims Resolution Process for Deposited Assets (July 30, 2001). The Initial Questionnaire was forwarded to the CRT and has been assigned Claim Number 781974.

Claimant could not provide further information about his grandfather or great-uncle. The Claimant indicated that he was born on 1 June 1937 in Kiev, the Ukraine.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by Michael (or Meyer) Koyfman.

The Claimant submitted documents in support of his application, including his own birth certificate.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Yakob (or Jakob) Koyfman (or Kaufmann). The auditors who carried out the ICEP Investigation reported two accounts whose owner's name is substantially similar to that provided by the Claimant. Upon review of the bank documents, the CRT also located an additional account that was not reported by the auditors. 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 5033535, 5033536, 5033536.1

The Bank's records indicate that the Account Owner was Jakob Kaufmann, who resided in Maastricht, the Netherlands, and that the Power of Attorney Holder was *Frau* (Mrs.) Paula Kaufmann, also known as *Frl.* (Miss.) Paula Strauss. The Bank's records also indicate the name of the Account Owner's wife, and 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.

Identification of the Account Owner

The CRT concludes that the Claimant has not identified Account Owner as his relative. Although the name of his great-uncle matches the published name of the Account Owner, the information provided by the Claimant differs materially from the published information about the Account Owner available in the Bank's records. Specifically, the Claimant indicated that his family resided in Belarus and could not indicate whether his relative was married. In contrast, the Bank's records show that the Account Owner resided in the Netherlands, and indicate his wife's name. The CRT also notes that the Claimant could not identify the Power of Attorney Holder of the accounts although she shared the same last name as the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's great-uncle are the same person. Moreover, it should be noted that the CRT has identified a 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.

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
10 December 2004