

# CLAIMS RESOLUTION TRIBUNAL

---

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

## **Certified Denial**

to Claimant [REDACTED]

### **in re Accounts of Rosa Kaufmann and Accounts of Rose Kauffmann**

Claim Number: 200095/SB; 601263/SB<sup>1, 2, 3</sup>

This Certified Denial is based on the claim of [REDACTED] (the Claimant ) to the accounts of Ernst Kaufler (Käufler), Gertrude Kaufler (Käufler) and Rosa (Rosi) Kaufman (Kauffman, Kaufmann, Kauffmann).<sup>4</sup> This Denial is to the published and unpublished accounts of two individuals named Rosa Kaufmann (“Account Owner 1” and “Account Owner 2”) at the [REDACTED] (“Bank 1”) and at the [REDACTED] (“Bank 2”), and to the unpublished accounts of Rose Kauffmann (“Account Owner 3”) at the [REDACTED] (“Bank 3”).

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 family’s governess, Rosa Kaufmann, opened an account on behalf of his parents, Ernst and Gertrude Kaufler. The Claimant stated that his parents, who were Jewish, employed his governess, who was not Jewish, and that she

---

<sup>1</sup> The Claimant also submitted a claim, numbered B-00240, on 27 October 1997, 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 601263. In this claim the Claimant claimed an account belonging to Arnold Mandl. The CRT treated this claim in a separate determination.

<sup>2</sup> 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.

<sup>3</sup> The Claimant submitted an Initial Questionnaire with the Court in 1999 and a Claim Form to the CRT. The CRT is treating the Initial Questionnaire and the Claim Form under the consolidated Claim Number 200095.

<sup>4</sup> The CRT did not locate an account belonging to Ernst Kaufler (Käufler), Gertrude Kaufler (Käufler), Rosa Kaufman (Kauffman) or to Rosi Kaufman (Kauffman, Kaufmann, Kauffmann) 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.

traveled from their home in Vienna, Austria to deposit assets in his parents' behalf in Switzerland. The Claimant further stated that his family resided in Austria until 1938 when they fled to Switzerland, ultimately emigrating to the United States in 1939. The Claimant did not indicate the fate of his governess, but did state that his father died in 1950 in Chicago, Illinois, and that his mother died on 20 October 1977 in Santa Monica, California. The Claimant indicated that he was born on 10 December 1922 in Vienna.

### **Information Available in the Bank's Records**

The CRT notes that the Claimant submitted a claim to an account opened by his governess, Rosa 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 four accounts whose owners' names match that provided by the Claimant. 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.

#### Account 2015651

Bank 1's records indicate that Account Owner 1 was Rosa Kaufmann, who resided in Altkirch, France. Bank 1's records also indicate the name of another person who was associated with the account.

#### Account 2016555

Bank 2's records indicate that Account Owner 2 was Rosa Kaufmann. Bank 2's records also indicate Account Owner 2's city and country of residence and the name of an individual from whom Account Owner 2 inherited the account at issue.

#### Accounts 5023844 and 5029385

Bank 3's records indicate that Account Owner 3 was Rose Kauffmann. Bank 3's records also indicate Account Owner 3's city and country of residence and a second last name. Bank 3's records also indicate the name of an individual who jointly owned the accounts at issue. Finally Bank 3's records indicate the date of opening of the accounts at issue.

### **The CRT's Analysis**

#### Admissibility of the Claims

The CRT has determined that the claims are 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 2015651, the CRT concludes that the Claimant has not identified Account Owner 1 as his governess. Although the name of his governess matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the published information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant stated that his governess resided in Austria. In contrast, Bank 1's records show that Account Owner 1 resided in France. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's governess are the same person.

As for Account 2016555, the CRT concludes that the Claimant has not identified Account Owner 2 as his governess. Although the name of his governess matches the unpublished name of Account Owner 2, the information provided by the Claimant differs materially from the unpublished information about Account Owner 2 available in Bank 2's records. Specifically, the Claimant stated that his governess resided in Austria. In contrast, Bank 2's records show that Account Owner 2 resided in another country. The CRT also notes that Bank 2's records indicate that Account Owner 2 was bequeathed the account at issue. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's governess are the same person.

As for Accounts 5023844 and 5029385, the CRT concludes that the Claimant has not identified Account Owner 3 as his governess. Although the name of his governess matches the unpublished name of Account Owner 3, the information provided by the Claimant differs materially from the unpublished information about Account Owner 3 available in Bank 3's records. Specifically, the Claimant stated that his governess resided in Austria. In contrast, Bank 3's records show that Account Owner 3 resided in another country. Consequently, the CRT is unable to conclude that Account Owner 3 and the Claimant's governess are the same person. Moreover, it should be noted that the CRT has awarded the accounts to another claimant, who plausibly identified Account Owner 3 as his relative. All decisions are published upon release on the CRT's website at [www.crt-ii.org](http://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 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 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  
23 February 2006