

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Barry Goldmeier

in re Account of Martha Loewenthal

Claim Number: 223365/SB¹

This Certified Denial is based on the claim of Barry Goldmeier (the “Claimant”) to the published account of Martha Loewenthal (the “Account Owner”) at the [REDACTED] (the “Bank”).

All denials are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form asserting that his maternal great-aunt, Martha Lowenthal, who was born in Germany, owned a Swiss bank account. According to the Claimant, his great-aunt, who was Jewish, resided during the Second World War in Aschaffenburg, Frankfurt am Main and Darmstadt, Germany. The Claimant indicated that he was born on 12 April 1946 in New York, New York, the United States.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Martha Lowenthal. 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 one account whose owner’s name matches that provided by the Claimant. The account is identified below by its Account Identification Number, which is a number assigned to the account by the ICEP auditors for tracking purposes.

¹ The Claimant submitted additional claims, which are registered under the Claim Numbers 220773, 220774, 220775, 220776, 220777, 220778, 220779, 223278, 223279, 223363, 223364, 223366, 223367, 223368 and 223369. The CRT has awarded Claim Number 220775 and denied Claim Number 220774. See *In re Account of Jakob Baumann*, and *In re Account of Julius Loewenthal*, which the Court approved on 11 May 2005 and 30 November 2005, respectively. The CRT will treat the remaining claims in separate determinations.

Account 1010505

The Bank's records indicate that the Account Owner was Martha Loewenthal, who resided in Germany. The Bank's records also indicate the Account Owner's city of residence and the dates of opening and 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 great-aunt matches 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 stated that his great-aunt resided in Aschaffenburg, Frankfurt am Main and Darmstadt, Germany. In contrast, the Bank's records show that the Account Owner resided in a different city, which the Claimant did not identify and is over 450 kilometers from Aschaffenburg, Frankfurt am Main and Darmstadt. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's great-aunt 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 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 January 2006