

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED 1],
also acting on behalf of [REDACTED 2]

In re Account of Adolf Maass

Claim Number: 206999/MG¹

This Certified Denial is based on the claim of [REDACTED 1] (the “Claimant”) to the published account of Adolf Maass (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 father, Adolf Maass, who was born on 9 October 1875 in Borgholzhausen, Germany, and was married to [REDACTED], née [REDACTED], on 11 April 1911 in Hannover, Germany, owned a Swiss bank account. The Claimant stated that from 1920 to 1941 his parents, who were Jewish, resided at Blumenstrasse 37 in Hamburg, Germany. The Claimant further stated that his father was a co-owner of the company *Kühne & Nagel* located in Hamburg, a director of *J. Elsbach & Co. A.G.* located in Herford, Germany, and an administrator of *Carl Lipmann & Co.* located in Hamburg. According to the Claimant, in 1933, his father was forced to resign from his position at *Kühne & Nagel*, and in 1938 he was forced to resign from his positions at *J. Elsbach & Co. A.G.* and at *Carl Lipmann & Co.* The Claimant stated that his parents were deported to Theresienstadt concentration camp on 15 July 1942, and then on 15 May 1944 to Auschwitz, where they perished. The Claimant indicated that he was born on 16 July 1918 in Hamburg.

The Claimant submitted documents in support of his application, including: (1) his father’s letter of permission, dated 21 April 1938 in Hamburg, allowing the Claimant to emigrate; (2) his parents’ wedding announcement; (3) his parents’ declaration of death (*Todeserklärung*), dated 28 May 1947; (4) an excerpt from the city of Hamburg memorial book of the Jewish victims of Nazi persecution (*Hamburger Jüdische Opfer des Nationalsozialismus Gedenkbuch*), showing the

¹ The Claimant submitted two Claim Forms, which were registered under the Claim Numbers 206999 and 217889. The CRT has determined that these claims are duplicate claims and is treating them under the consolidated Claim Number 206999.

dates of birth and the dates of deportations of his parents; and (5) his own birth certificate indicating that he was born in Hamburg.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Adolf Maass. 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 to 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.

Account 1011677

The Bank's records indicate that the Account Owner was Adolf Maass, who resided in Germany. The Bank's records also indicate the Account Owner's city of residence. Furthermore, the Bank's records indicate the date of 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 Owner

The CRT concludes that the Claimant has not identified the Account Owner as his relative. Although the name of his father matches the published name of the Account Owner, the information provided by the Claimant differs from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that his father resided in Hamburg, Germany, until 1941, and that he also had a director position in a company in Herford, Germany. In contrast, the Bank's records show that the Account Owner resided in a different, major German city, which is located more than 350 kilometers from Herford and over 250 kilometers from Hamburg, and to which the Claimant's father had no connection. The CRT notes that the Claimant's father's main city of residence, Hamburg, is also a major German city, rendering it unlikely that the Claimant's father would indicate a different, distant metropolis as his city of residence, including for purposes of maintaining a bank account. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father are the same person.

Right of Appeal

Pursuant to Article 30 of the Rules, the Claimant/s 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 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
15 July 2005