

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

**in re Account of Sigmund Marx-Liebmann  
and  
Account of Sigmund Israel Marx**

Claim Numbers: 400656/AE; 600535/AE<sup>1,2</sup>

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to an account of [REDACTED]. This Denial is to the published account of Sigmund Marx-Liebmann (“Account Owner 1”) at the [REDACTED] (the “Bank”) and to the published account of Sigmund Israel Marx (“Account Owner 2”) at an unknown Swiss 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 to the Holocaust Claims Processing Office (“HCPO”) and a Claim Form to the CRT asserting that his father, [REDACTED], who was born on 5 November 1878 in Edelfingen, Germany, and was married to [REDACTED], née [REDACTED], on 14 October 1907, owned a Swiss bank account. The Claimant indicated that his father, who was Jewish, owned a vineyard and wine distributorship, named [REDACTED], in Schweinfurt am Main, Germany. The Claimant further indicated that because of Nazi persecution, his father was forced to sell his business in the late 1930s and to move into a *Judenhaus* (Jewish house). The Claimant indicated that his father resided in Schweinfurt am Main and Berlin, Germany, before emigrating to New York, the United States, via Italy, in 1940. The Claimant stated that his father died in New York in 1947. The Claimant indicated that he was born on 1 September 1920, in Würzburg, Germany.

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<sup>1</sup> The Claimant submitted a claim, numbered B-02004, on 27 August 1999, 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 600535. The Claimant also submitted an Initial Questionnaire with the Court in 1999. The CRT is treating the HCPO claim and the Initial Questionnaire under the consolidated number 600535.

<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.

The Claimant submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by his father.

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

### **Information Available in the Bank's Records and Records from German Archives**

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, [REDACTED]. The auditors who carried out the investigation to identify accounts of Victims of Nazi Persecution to the ICEP Investigation ("ICEP" or the "ICEP Investigation") reported one account whose owner's name matches or is substantially similar to that provided by the Claimant. In addition, documents evidencing an account belonging to Sigmund Marx were obtained from archival sources in Germany during the course of the ICEP Investigation. 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 5030167

The Bank's records indicate that Account Owner 1 was Sigmund Marx-Liebmann, who resided in Mannheim, Germany. The Bank's records further indicate Account Owner 1's street address, and the name of one other person who appears to be closely related to Account Owner 1, who jointly owned the account at issue.

#### Account 6002018

The records available at German archives indicate that Account Owner 2 was Sigmund Israel Marx. These records further indicate Account Owner 2's city and country of residence. Furthermore, these records indicate Account Owner 2's date of birth.

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

#### Admissibility of the Claims

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 5030167, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his father matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 1 available in the Bank's records. Specifically, the Claimant stated that his father lived in Schweinfurt am Main and Berlin, Germany, before emigrating to New York, the United States in 1940. In contrast, the Bank's records show that

Account Owner 1 lived in Mannheim, Germany, which was not identified by the Claimant. Furthermore, the Claimant did not identify the last name Liebmann, nor did he identify the person who jointly owned the account at issue, although this person appears to be closely related to Account Owner 1. Moreover, it should be noted that the CRT has awarded the account to another claimant who plausibly identified Account Owner 1 as her relative. All decisions are published upon release on the CRT's website at [www.crt-ii.org](http://www.crt-ii.org). Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's father are the same person.

As for Account 6002018, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his father is substantially similar to the published name of Account Owner 2, the information provided by the Claimant differs materially from the unpublished information about Account Owner 2. Specifically, the Claimant indicated that his father was born on 5 November 1878. In contrast, the records from the German archives indicate that Account Owner 2 had a different date of birth. Furthermore, the Claimant stated that his father lived in Schweinfurt am Main and Berlin, Germany, before immigrating to New York, the United States in 1940. In contrast, the records available in German archives show that Account Owner 2 resided in a different city, over 200 kilometers from Schweinfurt am Main, and over 500 kilometers away from Berlin, and to which the Claimant did not establish any connection. 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 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  
30 September 2005