Claims Resolution Tribunal

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Ida Marx
and
Accounts of Martha Marx
and
Account of Anna Marx
and
Accounts of Ferdinand Marx
and
Account of Kurt Neumann
and
Accounts of M. Neumann
and
Account of Max Neumann
and
Account of Frida Ceccon
(Power of Attorney Holder Anna Marx)
and
Account of Robert Neumann
(Power of Attorney Holder Max Neumann)[1]

Claim Number: 209271/AV

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the Claimant) to the published accounts of Ida Marx, Martha Marx, Ferdinand (Fritz, Friedrich, or Fred) Marx, Max Neumann, and Kurt Neumann. This Denial is to the published accounts of Ida Marx ("Account Owner 1"), Anna Marx ("Account Owner 2"), Frida Ceccon ("Account Owner 3"), over which Anna Marx ("Power of Attorney Holder 1") held power of attorney, Ferdinand Marx ("Account Owner 4"), Kurt Neumann ("Account Owner 5"), and Robert Neumann ("Account Owner 6"), over which Max Neumann ("Power of Attorney Holder 2") held power of attorney, at the [REDACTED] ("Bank 1"); the published accounts of two other individuals named Ida Marx ("Account Owner 7" and "Account Owner 8"), Max Neumann ("Account Owner 9"), M. Neumann ("Account Owner 10"), and two individuals named Martha Marx

[1] In an effort to locate any and all accounts that might have belonged to the Claimant's relative, the CRT has reviewed and analyzed all accounts whose owners' or power of attorney holders' names are the same as those of the Claimant's relatives, even if the Claimant could not identify the owner of the account as her relative.

(“Account Owner 11” and “Account Owner 12”), at the [REDACTED] (“Bank 2”);[2] the published account of a fourth individual named Ida Marx (“Account Owner 13”), at the [REDACTED] (“Bank 3”); and the published account of a fifth individual named Ida Marx (“Account Owner 14”), at the [REDACTED] (“Bank 4”).[3, 4]

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 owners, and the banks have been redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form, asserting that her paternal great-aunt, Ida Marx, who was born on 24 August 1880 in Berlin, Germany, and was married to [REDACTED], owned a Swiss bank account. In a telephone conversation with the CRT on 22 July 2005, the Claimant stated that her great-aunt’s maiden name was either Katz or Nümann. The Claimant also stated that her great-aunt, who was Jewish, resided in Berlin, where her husband was a cigar manufacturer. The Claimant further stated that her great-aunt may have also resided in Brandenburg, Germany. The Claimant indicated that her great-aunt was deported to the ghetto in Lodz, Poland, where she perished in 1939.

In a telephone conversation with the CRT on 25 July 2005, the Claimant identified a second relative, [REDACTED], née [REDACTED], who was the second spouse of the Claimant’s great-grandfather.

In addition, the Claimant asserted that her great-aunt, Anna Martha Selma Marx, née Haacke, who was born on 28 September 1882 in Neu Schaumburg, Germany, and was married to [REDACTED], owned a Swiss bank account. According to the Claimant, her great-aunt’s given first name was Anna, but she went by Martha. The Claimant indicated that her great-aunt, who was Jewish, resided in Frankfurt an der Oder, Germany, where she died on 2 February 1945. The Claimant submitted documents in support of her claim, including her great-aunt’s death certificate, indicating that Anna Martha Selma Marx, née Haacke, was born on 28 September 1882 in Neu Schaumburg, that she was married to [REDACTED], that she resided in Frankfurt an der Oder, that she went by the first name of Martha, and that she died on 2 February 1945 in Frankfurt an der Oder.

The Claimant further asserted that her cousin, Ferdinand (Fritz, Friedrich, or Fred) Marx, who was born in 1906 in Berlin, owned a Swiss bank account. The Claimant stated that her cousin,

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[2] The CRT notes that on the ICEP List, Martha Marx is indicated as being a power of attorney holder. Upon careful review, the CRT has concluded that Bank 2’s records indicate that Martha Marx was, in fact, an account owner.

[3] The CRT did not locate an account belonging to Fritz (Friedrich or Fred) Marx in the Account History Database prepared pursuant to the investigation of ICEP (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).

[4] In this claim, the Claimant also claimed the accounts of Leopold Karl Georg Marx, Walter Heldt, and Werk Paul Falk. The CRT will treat the claims to these accounts in separate determinations.

who was Jewish, resided in Frankfurt an der Oder, where he was a merchant. According to the Claimant, her cousin was deported in 1939 to the ghetto in Lodz, where he perished.
The Claimant also asserted that her great-aunt's spouse, Max Neumann, who was married to [REDACTED], née [REDACTED], owned a Swiss bank account. In a telephone conversation with the CRT on 27 January 2006, the Claimant indicated that Max Neumann, whose spouse was Jewish, was a captain in the First World War and resided in Zeesen, Germany.

Finally, the Claimant asserted that her cousin, Kurt Neumann, who was the son of Max Neumann and [REDACTED], owned a Swiss bank account. In a telephone conversation with the CRT on 27 January 2006, the Claimant indicated that Kurt Neumann, who was Jewish and homosexual, resided in Zeesen until 1939, when he fled to South America. The Claimant stated further that Kurt Neumann returned to Germany after the Second World War and that he resided in Arensdorf, where he worked in agriculture. The Claimant submitted documents in support of her claim, including a confirmation signed by Kurt Neumann in connection with his mother's estate, indicating that Kurt Neumann resided in Arensdorf and that he was the son of [REDACTED], née [REDACTED].

The Claimant indicated that she was born on 19 March 1936 in Neustrelitz, Germany.

Information Available in the Banks' Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relatives, of Ida Marx, Anna Martha Selma Marx, Ferdinand Marx, Max Neumann, and Kurt Neumann. 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 twenty-three accounts whose owners' names match those provided by the Claimant, and two accounts whose power of attorney holders' names match those 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.

<u>Account 5035205</u>

Bank 1's records indicate that Account Owner 1 was Ida Marx. Pursuant to Article 6 of the Rules, the CRT requested the voluntary assistance of the Bank to obtain additional information about this account ("Voluntary Assistance"). Bank I provided the CRT with additional documents. These documents indicate that the Account Owner had a connection to a specific country.

<u>Account 5026555</u>

Bank 1's records indicate that Account Owner 2 was Anna Marx, who was also known as Anna Levi Minzi, and who resided in Milan, Italy. Bank 1's records also indicate Account Owner 2's maiden name, city and country of residence, and the name of a joint account owner. Furthermore, Bank 1's records indicate the years of opening and closing of the account at issue.

<u>Account 5029255</u>

Bank 1's records indicate that Account Owner 3 was Frida Ceccon, and that Power of Attorney Holder 1 was Anna Marx, who was also known as Anna Levi Minzi. Bank 1's records also indicate Power of Attorney Holder 1's maiden name and city and country of residence.

Account 5026840 and Account 5033194

Bank 1's records indicate that Account Owner 4 was Ferdinand Marx, who resided in Mainz, Germany. Bank 1's records also indicate Account Owner 4's street address. Furthermore, Bank 1's records indicate the year of opening of the accounts at issue.

Account 5033752

Bank 1's records indicate that Account Owner 5 was Kurt Neumann, who resided in Danzig, Germany. Bank 1's records also indicate Account Owner 5's street address and a previous street address and city and country of residence of Account Owner 5. Furthermore, Bank 1's records indicate the date of closing of the account at issue.

Account 5026605

Bank 1's records indicate that Account Owner 6 was Robert Neumann, who resided in Berlin, Germany, and that Power of Attorney Holder 2 was Max Neumann. Bank 1's records also indicate the name of a second individual who held power of attorney. Pursuant to Article 6 of the Rules, the CRT requested the voluntary assistance of Bank 1 to obtain additional information about this account ("Voluntary Assistance"). Bank 1 provided the CRT with additional documents. These documents indicate Power of Attorney Holder 2's street address and city and country of residence, and contain Account Owner 6's and Power of Attorney Holder 2's signatures.

Account 1000515, Account 1012575, Account 1012576, Account 1012577, Account 1012578, Account 1012579, and Account 1012580

Bank 2's records indicate that Account Owner 7 was Ida Marx, who resided in Nice, France. Bank 2's records also indicate Account Owner 7's street address, marital status, and a second city of residence. Furthermore, Bank 2's records indicate the dates of opening and closing of the accounts at issue.

Account 1014817, Account 1014818, and Account 1014819

Bank 2's records indicate that Account Owner 8 was Ida Marx, who resided in France. Bank 2's records also indicate Account Owner 8's city of residence. Furthermore, Bank 2's records indicate the dates of opening and closing of the accounts at issue.

Account 1012988

Bank 2's records indicate that Account Owner 9 was Max Neumann, who resided in Germany. Bank 2's records also indicate Account Owner 9's city of residence. Furthermore, Bank 2's records indicate the dates of opening and closing of the account at issue.

Account 1011275

Bank 2's records indicate that Account Owner 10 was M. Neumann, who resided in Germany. Bank 2's records also indicate Account Owner 10's city of residence and the name of a joint account owner. Furthermore, Bank 2's records indicate the dates of opening and closing of the account at issue.

Account 1000516

Bank 2's records indicate that Account Owner 11 was Martha Marx. Bank 2's records also indicate Account Owner 11's maiden name, city of residence, country of residence, and street address.

Account 1012163, Account 1012164, Account 1012165

Bank 2's records indicate that Account Owner 12 was Martha Marx. Bank 2's records also indicate the name of a second account owner and this individual's city and country of residence. Furthermore, Bank 2's records indicate the dates of opening and closing of the accounts at issue.

Account 4022538

Bank 3's records indicate that Account Owner 13 was Ida Marx. Bank 3's records also indicate Account Owner 13's city and country of residence.

Account 2015732

Bank 4's records indicate that Account Owner 14 was Ida Marx. Bank 4's records also indicate Account Owner 14's maiden name and city and country of residence.

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 Owners

As for Account 5035205, the CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Specifically, the Claimant indicated that her relatives named Ida Marx resided in Germany and did not indicate that her relatives had connections to any other country. In contrast, Bank I's records indicate that Account Owner 1 had a connection to another country, which the Claimant did not identify. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's great-aunt are the same person.

As for Account 5026555, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the name of her great-aunt matches the published name of Account Owner 2, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 2 available in Bank 1's records. Specifically, the Claimant stated that her great-aunt's maiden name was Haacke. In contrast, Bank 1's records show that Account Owner 2 had a different maiden name. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's great-aunt are the same person. Moreover, it should be noted that the CRT has awarded the account to another claimant, who plausibly identified Account Owner 2 as his relative. All decisions are published upon release on the CRT's website at www.crt-ii.org.

As for Account 5029255, the CRT concludes that the Claimant has not identified Power of Attorney Holder 1 as her relative. Although the name of her great-aunt matches the published name of Power of Attorney Holder 1, the information provided by the Claimant differs materially from the unpublished information about Power of Attorney Holder 1 available in Bank 1's records. Specifically, the Claimant stated that her great-aunt's maiden name was Haacke. In contrast, Bank 1's records show that Power of Attorney Holder 1 had a different maiden name. Consequently, the CRT is unable to conclude that Power of Attorney Holder 1 and the Claimant's great-aunt are the same person. Moreover, it should be noted that the CRT has awarded the account 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.

As for Account 5026840 and Account 5033194, the CRT concludes that the Claimant has not identified Account Owner 4 as her relative. Although the name of her cousin matches the published name of Account Owner 4, the information provided by the Claimant differs materially from the published information about Account Owner 4 available in Bank 1's records. Specifically, the Claimant stated that her cousin resided in Frankfurt an der Oder, Germany. In contrast, Bank 1's records show that Account Owner 4 resided in Mainz, which is over 500 kilometers from Frankfurt an der Oder. Consequently, the CRT is unable to conclude that Account Owner 4 and the Claimant's cousin are the same person.

As for Account 5033752, the CRT concludes that the Claimant has not identified Account Owner 5 as her relative. Although the name of her cousin matches the published name of Account Owner 5, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 5 available in Bank 1's records. Specifically, the Claimant stated that her cousin resided in Zeesen, Germany, until 1939, when he fled to South America. In contrast, Bank 1's records show that Account Owner 5 resided in Danzig, which is over 400 kilometers from Zeesen. Consequently, the CRT is unable to conclude that Account Owner 5 and the Claimant's cousin are the same person.

As for Account 5026605, the CRT concludes that the Claimant has not identified Power of Attorney Holder 2 as her relative. Although the name of her great-uncle matches the published name of Power of Attorney Holder 2, the information provided by the Claimant differs materially from the unpublished information about Power of Attorney Holder 2 available in

Bank 1's records. Specifically, the Claimant stated that her great-uncle resided in Zeesen. In contrast, Bank 1's records show that Power of Attorney Holder 2 resided in a different city, over 500 kilometers from Zeesen, which the Claimant did not identify. Moreover, the CRT notes that the Claimant did not identify Account Owner 6, although it appears from Bank 2's records that Account Owner 6 and Power of Attorney Holder 2 were related. Consequently, the CRT is unable to conclude that Power of Attorney Holder 2 and the Claimant's great-uncle are the same person. Moreover, it should be noted that the CRT has awarded the account to another claimant, who plausibly identified Account Owner 6 as her relative. All decisions are published upon release on the CRT's website at www.crt-ii.org.

As for Account 1000515, Account 1012575, Account 1012576, Account 1012577, Account 1012578, Account 1012579, and Account 1012580, the CRT concludes that the Claimant has not identified Account Owner 7 as her relative. Although the names of her great-aunt and step-great-grandmother match the published name of Account Owner 7, the information provided by the Claimant differs materially from the published information about Account Owner 7 available in Bank 2's records. Specifically, the Claimant stated that her great-aunt and her family resided in Germany. In contrast, Bank 2's records show that Account Owner 7 resided in France, to which the Claimant established no connection. Consequently, the CRT is unable to conclude that Account Owner 7 and the Claimant's relatives are the same person.

As for Account 1014817, Account 1014818, and Account 1014819, the CRT concludes that the Claimant has not identified Account Owner 8 as her relative. Although the names of her great-aunt and step-great-grandmother match the published name of Account Owner 8, the information provided by the Claimant differs materially from the published information about Account Owner 8 available in Bank 2's records. Specifically, the Claimant stated that her great-aunt and her family resided in Germany. In contrast, Bank 2's records show that Account Owner 8 resided in France, to which the Claimant established no connection. Consequently, the CRT is unable to conclude that Account Owner 8 and the Claimant's relatives are the same person.

As for Account 1012988, the CRT concludes that the Claimant has not identified Account Owner 9 as her relative. Although the name of her great-uncle matches the published name of Account Owner 9, the information provided by the Claimant differs from the unpublished information about Account Owner 9 available in Bank 2's records. Specifically, the Claimant stated that her great-uncle resided in Zeesen. In contrast, Bank 2's records show that Account Owner 9 resided in a different city, over 450 kilometers from Zeesen, which the Claimant did not identify. Consequently, the CRT is unable to conclude that Account Owner 9 and the Claimant's great-uncle are the same person.

As for Account 1011275, the CRT concludes that the Claimant has not identified Account Owner 10 as her relative. Although the first name initial and last name of her great-uncle matches the published first name initial and last name of Account Owner 10, the information provided by the Claimant differs from the unpublished information about Account Owner 10 available in Bank 2's records. Specifically, the Claimant did not identify the joint account owner, although it appears from Bank 2's records that this individual was closely related to Account Owner 10. In addition, the Claimant stated that her great-uncle resided in Zeesen. In contrast, Bank 2's records show that Account Owner 10 resided in a different city, over 200 kilometers from Zeesen, which the Claimant did not identify. Consequently, the CRT is unable to conclude that Account Owner 10 and the Claimant’s great-uncle are the same person.

As for Account 1000516, the CRT concludes that the Claimant has not identified Account Owner 11 as her relative. Although the name of her great-aunt matches the published name of Account Owner 11, the information provided by the Claimant differs materially from the unpublished information about Account Owner 11 available in Bank 2’s records. Specifically, the Claimant stated that her great-aunt’s maiden name was Haacke. In contrast, Bank 2’s records show that Account Owner 11 had a different maiden name. Consequently, the CRT is unable to conclude that Account Owner 11 and the Claimant’s great-aunt are the same person.

As for Account 1012163, Account 1012164, Account 1012165, the CRT concludes that the Claimant has not identified Account Owner 12 as her relative. Although the name of her great-aunt matches the published name of Account Owner 12, the information provided by the Claimant differs from the unpublished information about Account Owner 12 available in Bank 2’s records. Specifically, the CRT notes that the Claimant did not identify the second account owner, although it appears from Bank 2’s records that this individual and Account Owner 12 were closely related. Moreover, the Claimant established no connection to the city of residence of this individual. Consequently, the CRT is unable to conclude that Account Owner 12 and the Claimant’s great-aunt are the same person.

As for Account 4022538, the CRT concludes that the Claimant has not identified Account Owner 13 as her relative. Although the names of her great-aunt and step-great-grandmother match the published name of Account Owner 13, the information provided by the Claimant differs materially from the unpublished information about Account Owner 13 available in Bank 3’s records. Specifically, the Claimant stated that her great-aunt and her family resided in Germany. In contrast, Bank 3’s records show that Account Owner 13 resided in a different country. Consequently, the CRT is unable to conclude that Account Owner 13 and the Claimant’s relatives are the same person. Moreover, it should be noted that the CRT has awarded the account to another claimant, who plausibly identified Account Owner 13 as her relative. All decisions are published upon release on the CRT's website at www.crt-ii.org.

As for Account 2015732, the CRT concludes that the Claimant has not identified Account Owner 14 as her relative. Although the names of her great-aunt and step-great-grandmother match the unpublished name of Account Owner 14, the information provided by the Claimant differs materially from the unpublished information about Account Owner 14 available in Bank 4’s records. Specifically, the Claimant stated that her great-aunt’s maiden name was Katz or Nümann, and that her step-great-grandmother’s maiden name was Riedel. In contrast, Bank 4’s records show that Account Owner 14 had a different maiden name. Consequently, the CRT is unable to conclude that Account Owner 14 and the Claimant’s relatives are the same person.

<u>Right of Appeal</u>

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 Numbers which form 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 her 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
29 March 2006