

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Siegmund Israel Marx

Claim Number: 218425/SB¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the account of Sigmund Marx.² This Denial is to the published account of Siegmund Israel Marx (the “Account Owner”), held at an unknown bank (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, Sigmund Marx, who was born on 2 August 1891 in Baasen, Germany, and was married to [REDACTED] in 1920, owned a Swiss bank account. The Claimant further stated that his father, who was Jewish, resided in Junkerath, Germany, where he worked as a cattle merchant. The Claimant further stated that his father perished in Auschwitz. The Claimant indicated that he was born on 16 August 1926 in Junkerath.

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

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Sigmund Marx. The CRT further notes that the auditors who carried out the investigation of this

¹ The Claimant submitted an Initial Questionnaire to 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 218425.

² The CRT did not locate an account belonging to Sigmund Marx 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 Governing the Claims Resolution Process, as amended (the “Rules”).

bank to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons (“ICEP” or the “ICEP Investigation”) did not report an account belonging to Sigmund Marx during their investigation of the Bank. The documents evidencing an account belonging to Siegmund Isreal Marx were obtained from archival sources in Germany during the course of the ICEP Investigation. The account is identified below by its Account Identification Number, which is a number assigned to the account for tracking purposes.

Account 6002018

The Bank’s records indicate that the Account Owner was Siegmund Marx. The Bank’s records also indicate the Account Owner’s date of birth, the name of his spouse, occupation, street address, and city and country of residence. Finally, the Bank’s records contain the Account Owner’s signature.

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 materially from the unpublished information about the Account Owner available in the Bank’s records. Specifically, the Claimant stated that his father was born in 1891 and was married to [REDACTED]. In contrast, the Bank’s records show that the Account Owner was born in a different year and was married to a different person. The CRT also notes that the Claimant indicated that his father resided in Junkerath, Germany, whereas the Bank’s records show that the Account Owner resided in a city which is over 500 kilometers from Junkerath. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant’s father are the same person.

The CRT has taken utmost care in matching the names of the person identified by the Claimant as a possible account owner to names of actual account owners identified 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 Governing the Claims Resolution Process, as amended (the “Rules”). The CRT uses advanced name matching systems that consider variations of names, including name variations provided by Yad Vashem, Israel, to ensure that all possible name matches are identified. The CRT has reviewed this claim carefully and analyzed matches to accounts belonging to account owners with alternative spellings of Sigmund Marx’s surname, which include Marx-Liebmann, and has determined that these accounts do not belong to the Claimant’s relative.

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, or the alternative surname of the Account Owner identified above, 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
18 April 2006