

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Albert Neuburger

Claim Number: 205643/SB¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published accounts of Albert Neuburger (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 maternal aunt’s husband, Albert Neuburger, who was born in Germany and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that his uncle, who was Jewish, was a businessman who resided in Cham, Germany. The Claimant further stated that his uncle fled Germany in 1936 and emigrated to Palestine, but returned to Germany after the end of the Second World War. According to the Claimant his uncle died in Munich, Germany, on an unknown date. The Claimant indicated that he was born on 26 June 1925 in Dortmund, Germany.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Albert Neuburger. 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 two accounts whose owner’s name matches that 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.

¹ The Claimant submitted an additional claim, which is registered under the Claim Number 205601. In a separate decision, the CRT awarded the accounts of Siegfried Kohn to the Claimant. See *In re Accounts of Siegfried Kohn* (approved on 24 December 2004).

Accounts 1010767 and 1010768

The Bank's records indicate that the Account Owner was Albert Neuburger, who resided in Germany. The Bank's records also indicate the Account Owner's title and his city of residence in Germany. Furthermore, the Bank's records indicate the dates of 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 uncle 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 uncle resided in Cham, Germany. In contrast, the Bank's records show that the Account Owner resided in a different city, which is over 450 kilometers from Cham. The CRT also notes that the Claimant did not identify the title held by the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's uncle 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
18 April 2006