

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Arthur Neuhaus

Claim Number: 600567/AV¹

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the published account of Arthur Neuhaus (the “Account Owner”) at the [REDACTED] (the “Bank”).²

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 to the Holocaust Claims Processing Office (“HCPO”) asserting that her father, Arthur Neuhaus, who was born on 1 January 1901 in Herleshausen, Germany, and was married to [REDACTED], née [REDACTED], on 4 March 1936 in Amsterdam, the Netherlands, owned a Swiss bank account. According to the Claimant, her father, who was Jewish, owned a men’s and women’s clothing factory. The Claimant indicated that her father fled Germany to ‘s Hertogenbosch, the Netherlands on 23 February 1934. The Claimant stated that her father was detained in the Westerbork concentration camp in 1941, and that he subsequently was deported to the Sobibor extermination camp, where he perished in 1943. The Claimant indicated that she was born on 8 May 1938 in ‘s Hertogenbosch.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Arthur Neuhaus. 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

¹ The Claimant submitted a claim, numbered B-00805, on 16 April 1998, 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 600567.

² In this claim, the Claimant also claimed accounts of Martha Neuhaus, née Davids, and the business, *Van Maarsen & Co.* The CRT will treat the claims to these accounts in separate determinations.

(“ICEP” or the “ICEP Investigation”) reported one account whose owner’s name matches 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 1011464

The Bank’s records indicate that the Account Owner was Arthur Neuhaus, who resided in Themar, Germany. Furthermore, the Bank’s records indicate the dates of opening and 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 her relative. Although the name of her father matches the published name of the Account Owner, the information provided by the Claimant differs materially from the published and unpublished information about the Account Owner available in the Bank’s records. Specifically, the Claimant stated that her father resided in Herleshausen, Germany until he fled to the Netherlands on 23 February 1934. In contrast, the Bank’s records show that the Account Owner resided in Themar, Germany, to which the Claimant established no connection, and that he opened the account with a Themar address several years after the Claimant’s father had already fled to the Netherlands. 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 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 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
30 September 2005