

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Gabriele Hildegard Grunebaum
also acting on behalf of [REDACTED]
represented by [REDACTED]

in re Account of Gabriel Neumann and Accounts of Hildegard Grünbaum

Claim Number: 220700/AH¹

This Certified Denial is based on the claim of Gabriele Hildegard Grunebaum, née Neumann, (the “Claimant”) to the account of Gabriele (or Gabriel) Hildegard Grunebaum, née Neumann.² This Denial is to the published account of Gabriel Neumann (“Account Owner 1”) and to the unpublished accounts of Hildegard Grünbaum (“Account Owner 2”) at the [REDACTED] (the “Bank”).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 are redacted.

Information Provided by the Claimant

The Claimant submitted a Claim Form asserting that she, Gabriele Hildegard Grunebaum, née Neumann, born on 21 October 1910 in Cottbus, Germany, and married to [REDACTED] on 21 October 1933 in Düsseldorf, Germany, owned a Swiss bank account. The Claimant stated that from 1934 until 1938 she lived with her husband in Hamburg, Germany, where her husband was part owner of his family’s bank, *Simon Hirschland Bank*, headquartered in Essen, Germany. The Claimant, who is Jewish, indicated that she fled Germany to England in 1938, and then moved to the United States, where she lives today.

¹ The Claimant submitted an additional claim to the accounts of *Bank Simon Hirschl* and Georg Simon Hirschland, which is registered under the Claim Number 221098. The CRT will treat the claim to these accounts in a separate decision. The CRT previously issued to the Claimant, as well as other Claimants, a Certified Award to the account of *Simon Hirschland*, which was approved by the Court on 6 February 2004. See *In re Account of Simon Hirschland*.

² In this claim, the Claimant also claimed the account of [REDACTED]. The CRT will treat the claim to this account in a separate decision.

The Claimant submitted documents in support of her application, including copies of her birth certificate and marriage registrations, all indicating her name as Hildegard Gabriele Neumann.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account in her name. 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 three accounts whose owners' names are substantially similar to 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.

Account 1010781

The Bank's records indicate that Account Owner 1 was Gabriel Neumann, who resided in Germany. The Bank's records also indicate Account Owner 1's city of residence. Furthermore, the Bank's records indicate the dates of opening and closing of the account at issue.

Accounts 1009955 and 1009956

The Bank's records indicate that Account Owner 2 was Hildegard Grünbaum. The Bank's records also indicate Account Owner 2's city and country of residence, her additional last name, and a professional title. Furthermore, the Bank's records indicate the dates of opening and 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 Owners

As for account number 1010781, the CRT concludes that the Claimant has not identified Account Owner 1 as herself. Although her maiden name is substantially similar to 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 she was born in Cottbus, and resided in Düsseldorf and Hamburg until 1938, when she fled Germany. In contrast, the Bank's records show that Account Owner 1 lived in a city located over 200 kilometers away from the Claimant's cities of residence. In addition, the documents provided by the Claimant indicate that her first name is Hildegard and her middle name is Gabriele. In contrast, the Bank's records show that Account Owner 1's first name was Gabriel and do not indicate that Account Owner 1 had a middle name. The CRT also

notes that the Bank's records indicate that Account Owner 1's name was spelled "Gabriel" which is different from the Claimant's name. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant are the same person.

As for accounts number 1009955 and 1009956, the CRT concludes that the Claimant has not identified Account Owner 2 as herself. Although her name is substantially similar to the unpublished name of Account Owner 2, the information provided by the Claimant differs materially from the unpublished information about Account Owner 2 available in the Bank's records. Specifically, the Claimant stated that she was born in Cottbus, and resided in Düsseldorf and Hamburg until 1938, when she fled Germany. In contrast, the Bank's records show that Account Owner 2's city of residence was located over 400 kilometers away from the Claimant's cities of residence. In addition, the Claimant stated that she took the name Grunebaum upon her marriage on 21 October 1933. In contrast, the Bank's records show that Account Owner 2 had the name Grünbaum before October 1933. In addition, the Claimant failed to identify the professional title indicated in the Bank's records or Account Owner 2's additional last name. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant are the same person. Moreover, it should be noted that the CRT awarded the accounts to a claimant who plausibly identified Account Owner 2 as his relative. A copy of the award -- In re Account of Dr. Hildegard Grünbaum -- is enclosed.

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 the Special Master, c/o Claims Resolution Tribunal, P.O. Box 9564, 8036 Zurich, Switzerland.

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 that 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
18 August 2004