

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimants Otto Newman

and Erika Beach  
represented by Paul Judkins

**in re Account of J. Neumann**

Claim Numbers: 204848/SB; 210671/SB; 501677/SB<sup>1,2</sup>

This Certified Denial is based on the claims of Otto Newman (“Claimant Newman”) and Erika Beach, née Neumann, (“Claimant Beach”) to the account of Jonas Neumann (Neuman, Newman).<sup>3</sup> This Denial is to the unpublished account of J. Neumann (the “Account Owner”) at the [REDACTED] (the “Bank”).

All denials are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

## **Information Provided by the Claimants**

The Claimants, who are siblings, submitted Claim Forms asserting that their father, Jonas Neumann, who was born in 1884 in Czernowitz (today the Ukraine), and married Rosa Schwarzstein in 1918 in Vienna, Austria, owned a Swiss bank account. The Claimants stated that their father, who was Jewish, worked in the insurance industry and resided in Vienna. Claimant Newman stated that his father perished in Auschwitz in 1944. Claimant Newman indicated that he was born on 2 July 1922 in Vienna and Claimant Beach indicated that she was born on 17 October 1924, also in Vienna.

Claimant Newman previously submitted Initial Questionnaires to the Court in 1999 asserting his entitlement to a Swiss bank account owned by Jonas Neumann.

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<sup>1</sup> According to Article 37 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the three claims of the Claimants in one proceeding.

<sup>2</sup> Otto Newman submitted Initial Questionnaires to the Court in 1999 and Claim Forms to the CRT. The CRT is treating the Initial Questionnaires under the consolidated Claim Number 204848.

<sup>3</sup> The CRT did not locate an account belonging to Jonas Neumann (Neuman, Newman) 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.

## **Information Available in the Bank's Records**

The CRT notes that the Claimants submitted claims to an account belonging to their relative, Jonas 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 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 1009594

The Bank's records indicate that the Account Owner was J. Neumann. The Bank's records also indicate the Account Owner's profession, city and country of residence. Furthermore, the Bank's records indicate the dates of opening and closing of the account at issue.

## **The CRT's Analysis**

### Admissibility of the Claims

The CRT has determined that the claims are 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 Claimants have not identified the Account Owner as their relative. Although the name of their father matches the unpublished name of the Account Owner, the information provided by the Claimants differs materially from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimants stated that their father resided in Vienna, Austria. In contrast, the Bank's records show that the Account Owner resided in another country. Consequently, the CRT is unable to conclude that the Account Owner and the Claimants' father are the same person. Moreover, it should be noted that the CRT has awarded the account to another claimant, who plausibly identified the Account Owner as their relative. All decisions are published upon release on the CRT's website at [www.crt-ii.org](http://www.crt-ii.org).

### Right of Appeal

Pursuant to Article 30 of the Rules, the Claimants 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 Claimants 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 Claimants 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 Claimants should be aware that the CRT will carry out further research on their claims 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  
8 August 2006