

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant Karl Neumann

**in re Account of J. Neumann  
and  
Accounts of Karl Neumann**

Claim Numbers: 202260/SB; 600543/SB<sup>1, 2, 3</sup>

This Certified Denial is based on the claims of Karl Neumann (the “Claimant”) to the accounts Jakob Neumann and Karl Neumann.<sup>4</sup> This Denial is to the unpublished account of J. Neumann (“Account Owner 1”) at the [REDACTED] (the “Bank”) and to the published accounts of Karl Neumann (“Account Owner 2”) also at the Bank.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 Claim Forms in 2001 and 2005, asserting that he and his father, Jakob Neumann, who are both Jewish, owned a Swiss bank account. The Claimant stated that his father was born on 25 February 1893 in Kolbuszowa, Poland, and was married to [REDACTED] in 1918 in Berlin, Germany. The Claimant further stated that his father, who was a businessman, resided in Berlin, where he owned clothing stores and real property. The Claimant continued that his father was deported to Auschwitz, where he perished in 1943. The Claimant stated that he was born on 1 August 1922 in Berlin, and was a student until he was forced into slave labor in

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<sup>1</sup> The Claimant submitted a claim, numbered B-00693, on 9 February 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 600543.

<sup>2</sup> The Claimant submitted an Initial Questionnaire with 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 202260.

<sup>3</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 two claims of the Claimant in one proceeding.

<sup>4</sup> The CRT did not locate an account belonging to Jakob Neumann 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.

1940. The Claimant explained that he returned to Germany after the end of the Second World War and emigrated to the United States in 1946.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999 and a claim with the Holocaust Claims Processing Office (“HCPO”) in 1998, asserting his entitlement to a Swiss bank account owned by Jakob Neumann.

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

The CRT notes that the Claimant submitted a claim to an account belonging to himself and his father, Jakob 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 four accounts whose owners’ names match 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 1009594

The Bank’s records indicate that Account Owner 1 was J. Neumann. The Bank’s records also indicate Account Owner 1’s city and country of residence and profession. Furthermore, the Bank’s records indicate the dates of opening and closing of the account at issue.

#### Accounts 1012434, 1012435 and 1012436

The Bank’s records indicate that Account Owner 2 was Karl Neumann. The Bank’s records also indicate Account Owner 2’s city and country of residence and profession. Furthermore, the Bank’s records indicate the dates of closing of the accounts 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 Owners

As for Account 1009594, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his father matches the unpublished name of Account Owner 1, the information provided by the Claimant differs materially from the unpublished information about Account Owner 1 available in the Bank’s records. Specifically, the Claimant stated that his father resided in Berlin, Germany. In contrast, the Bank’s records show that Account Owner 1 resided in a different country, which the Claimant did not identify.

The Claimant also stated that his father was a businessman, whereas the Bank's records indicate that Account Owner 1 had a different profession. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's father are the same person. Moreover, it should be noted that the CRT has awarded the account to another claimant, who plausibly identified Account Owner 1 as his relative. All decisions are published upon release on the CRT's website at [www.crt-ii.org](http://www.crt-ii.org).

As for Accounts 1012434, 1012435 and 1012436, the CRT concludes that the Claimant has not identified Account Owner 2 as himself. Although the Claimant's name matches the published 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 he resided in Berlin, Germany. In contrast, the Bank's records show that Account Owner 2 resided in a different country, which the Claimant did not identify. The CRT also notes that Account Owner 2 had a profession at the time the Claimant stated that he was a student. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant 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  
23 February 2006