

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Accounts of Karl Neumann

Claim Number: 401491/JW¹

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to the published accounts of Karl Neumann (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 in 2005, asserting that his maternal uncle, Karl (Karel) Neumann,² who was born on 19 July 1897 in Kladno, Czechoslovakia (today the Czech Republic), and was married to [REDACTED], in 1923 in Kladno, owned a Swiss bank account. The Claimant stated that his uncle, who was Jewish, resided in Brandysek, Czechoslovakia (now Czech Republic), where he owned a department store, until 1942, when he was deported to Theresienstadt and subsequently to Auschwitz, where he perished. The Claimant indicated that he was born on 16 April 1931 in Prague, Czechoslovakia (today the Czech Republic).

¹ The Claimant submitted four additional claims, which is registered under the Claim Numbers 215455, 401502, 401512, and 401527. The Claimant also submitted an Initial Questionnaire to the Court in 1999, the CRT is treating the Initial Questionnaire under the consolidated Claim Number 215455. In a separate decision, the CRT awarded the accounts of Josef Steiner and Emil Steiner to the Claimant. See *In re Accounts of Josef Steiner* (approved on 23 January 2003) and *In re Accounts of Emil Steiner* (approved on 10 August 2005). The CRT will treat the remaining claims in separate determinations.

² The CRT did not locate an account belonging to Karel 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 Governing the Claims Resolution Process, as amended (the “Rules”).

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Karl 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 three accounts whose owner's name match 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.

Account 1012434, 1012435 and 1012436

The Bank's records indicate that the Account Owner was Karl Neumann. The Bank's records also indicate the Account Owner's city and country of residence and profession. Furthermore, the Bank's records indicate the date of opening of one of the accounts at issue and the dates of closing of all 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 Czechoslovakia. In contrast, the Bank's records show that the Account Owner resided in a different country, which the Claimant did not identify. The Claimant also stated that his father owned a department store, whereas the Bank's records indicate that the Account Owner had a different profession. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's uncle are the same person.

Right of Appeal and Request for Reconsideration

Pursuant to Article 30 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"), the Claimant may appeal this decision or submit a request for reconsideration within ninety (90) days of the date of the letter accompanying this decision.

An appeal must be based upon a plausible suggestion of error regarding the CRT's conclusions set out in this decision. Any appeals which are submitted without a plausible suggestion of error shall be summarily denied. A request for reconsideration must be based on new documentary evidence not previously presented to the CRT that, if considered, would have led to a different

outcome of the claim. Claimants should briefly explain the relevance of the newly submitted documents in view of the conclusions stated in the certified decision.

The Claimant should send appeals and/or requests for reconsideration in writing to the following address: Oren Wiener, Claims Resolution Tribunal, Attention: Appeals / Request for Reconsideration, P.O. Box 9564, 8036 Zurich, Switzerland. If more than one account has been treated in this decision, the Claimant should identify the account, including, where available, the Account Identification Number, that forms the basis of the appeal and/or request for reconsideration.

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
27 February 2007