

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

**in re Accounts of Leo and Irma Neumann**

Claim Number: 401687/BW

This Certified Denial is based on the claim of [REDACTED] (“Claimant [REDACTED]”) to the published accounts of Leo Neumann, (“Account Owner Leo Neumann”) and Irma Neumann (“Account Owner Irma Neumann”) (together the “Account Owners”) at the [REDACTED] (the “Bank”).

All awards 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.

## **Procedural History**

On 23 June 2003, the Court approved an Award to [REDACTED] (“Claimant [REDACTED]”) also acting on behalf of E[REDACTED], to three accounts held by the Account Owners at the Bank (the “June 2003 Award”). In the June 2003 Award, the CRT determined that Claimant [REDACTED] had plausibly identified the Account Owners, that she had plausibly demonstrated that the Account Owners were Victims of Nazi Persecution, that she had plausibly demonstrated that she was related to the Account Owners, and that it is plausible that the Account Owners and their heirs did not receive the proceeds of three of their accounts. The June 2003 Award did not address the entitlement of Claimant [REDACTED] to these accounts. This Certified Denial concludes that Claimant [REDACTED] is not entitled to any portion of the total award amount awarded to Claimant [REDACTED] in the June 2003 Award.

## **Information Provided by Claimant [REDACTED]**

Claimant [REDACTED], who is related to Claimant [REDACTED], submitted a Claim Form asserting that her relatives, Leo and Irma Neumann, who were married, owned a Swiss bank account. Claimant [REDACTED] indicated that the Account Owners, who were Jewish, owned a mill in Biala, Poland. Claimant [REDACTED] further indicated she was related to the Account Owners through her father, [REDACTED], who was born on 28 December 1882 in Biala, and who also owned a mill. In a telephone conversation with the CRT on 27 June 2006,

Claimant [REDACTED] indicated that her father, [REDACTED], and Irma Neumann were cousins. Claimant [REDACTED] indicated that she was born on 25 September 1924 in Biala.

Claimant [REDACTED] submitted copies of documents in support of her claim, including: (1) her father's birth certificate, which indicates that [REDACTED] was born in Biala on 28 December 1882 to [REDACTED] and [REDACTED], née [REDACTED]; (2) her parents' marriage certificate, which indicates that [REDACTED] and [REDACTED] were married on 22 April 1909 in Podgorze, Poland; (3) her own birth certificate, which indicates that [REDACTED] was born in Biala on 25 September 1924, to [REDACTED] and [REDACTED], née [REDACTED].

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

In the June 2003 Award, the CRT determined that the Account Owners were Leo and Irma Neumann, who resided in Biala, Poland, and that they jointly held two custody accounts, two demand deposit accounts, and one safe deposit box.

### **The CRT's Analysis**

#### Claimant [REDACTED]'s Identification of the Account Owner

Claimant [REDACTED], who is related to Claimant [REDACTED], has plausibly identified the Account Owners. Claimant [REDACTED]'s relatives' names match the published names of the Account Owners. Further, Claimant [REDACTED] identified the marital relationship between the Account Owners, Account Owner Leo Neumann's profession, as well as the city and country of residence of the Account Owners, which matches unpublished information about the Account Owners contained in the Bank's records. Additionally, the information provided by Claimant [REDACTED] is consistent with the information provided by Claimant [REDACTED]. Accordingly, the CRT determines that Claimant [REDACTED]'s relatives are the same persons as Claimant [REDACTED]'s grandparents, and that Claimant [REDACTED] has identified the Account Owners.

#### Status of the Account Owners as Targets of Nazi Persecution

In the June 2003 Award, the CRT determined that Claimant [REDACTED] made a plausible showing that the Account Owners were Targets of Nazi Persecution. As detailed in the June 2003 Award, Claimant [REDACTED] stated that the Account Owners were Jewish, and that they committed suicide to avoid being deported.

#### Claimant [REDACTED]'s Relationship to the Account Owners

Claimant [REDACTED], who is related to Claimant [REDACTED], has plausibly demonstrated that she is related to the Account Owners, by submitting information demonstrating that Account Owner Irma Neumann was her father's cousin. Further, the CRT notes that Claimant

[REDACTED] identified the marital relationship between the Account Owners, Account Owner Leo Neumann's profession, and the city and country of residence of the Account Owners. Taking all these factors into account, the CRT determines that all of this information supports the plausibility that Claimant [REDACTED] is related to the Account Owners, as she has asserted in her Claim Form.

#### The Issue of Who Received the Proceeds

As detailed in the June 2003 Award, the CRT determined that the account proceeds of both custody accounts were paid to the Account Owners' heirs, and that it is plausible that the proceeds of the safe deposit box and the two demand deposit accounts were not paid to the Account Owners or their heirs.

#### Amount of the Award

As detailed in the June 2003 Award, the CRT determined that the total award amount was 66,240.00 Swiss Francs ("SF").

#### Division of the Award

According to Article 23(1)(c) of the Rules, if the Account Owner's spouse has not submitted a claim, the award shall be in favor of any descendants of the Account Owner who have submitted a claim, in equal shares by representation. Therefore, Claimant [REDACTED], as the Account Owners' granddaughter, has a better entitlement to the accounts than Claimant [REDACTED], whose father was Account Owner Irma Neumann's cousin, and who is therefore a descendant of the Account Owner's grandparents. Accordingly, Claimant [REDACTED] is not entitled to any portion of the total award amount, and the June 2003 Award correctly awarded the total award amount to Claimant [REDACTED].

#### Right of Appeal

Pursuant to Article 30 of the Rules, Claimant [REDACTED] 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.

Claimant [REDACTED] should send appeals in writing to the above address and should include all reasons for the appeal. Appeals submitted without either a plausible suggestion of error or relevant new evidence may be summarily denied.

#### **Scope of the Denial**

Claimant [REDACTED] should be aware that, pursuant to Article 20 of the Rules, the CRT will carry out further research on her claim to determine whether there are additional Swiss bank accounts to which she might be entitled, including research of the Total Accounts Database

(consisting of records of 4.1 million Swiss bank accounts which existed between 1933 and 1945).

**Certification of the Denial**

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal  
20 October 2006