

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of Ludwig Neumann

Claim Number: 705196/SB¹

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the account of Ludwig 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 an Initial Questionnaire asserting that her father, Ludwig Neumann, who was born on 15 September 1885, and was married to [REDACTED], owned a Swiss bank account. The Claimant stated that her father, who was Jewish, resided in Berlin, Germany and perished in Auschwitz in March 1943. The Claimant indicated that she was born on 27 December 1919.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Ludwig 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

¹ The Claimant did not submit a Claim Form to the Claims Resolution Tribunal. However, in 1999 she submitted an Initial Questionnaire, numbered ENG 0615026, to the Court in the United States. Although this Initial Questionnaire was not a Claim Form, the Court, in an Order signed on 30 July 2001, ordered that those Initial Questionnaires which can be processed as claim forms be treated as timely claims. Order Concerning Use of Initial Questionnaire Responses as Claim Forms in the Claims Resolution Process for Deposited Assets (July 30, 2001). The Initial Questionnaire was forwarded to the CRT and has been assigned claim number 705196. In the Initial Questionnaire the Claimant also claimed an account belonging to Camilla Neumann. The CRT will treat this claim to his account in a separate decision.

Identification Number, which is a number assigned to the account by the ICEP auditors for tracking purposes.

Account 1012219

The Bank's records indicate that the Account Owner was Ludwig Neumann, who resided in Austria. The Bank's records also indicate the Account Owner's profession, title and city of residence in Austria and another city and country of residence. Furthermore, the Bank's records indicate the date of closing of the account 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 her relative. Although the name of her father matches the published name of the Account Owner, the information provided by the Claimant differs materially from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her father resided in Germany. In contrast, the Bank's records show that the Account Owner resided in other countries. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father are the same person.

The CRT has taken utmost care in matching the names of the person identified by the Claimant as a possible account owner to names of actual account owners identified 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"). The CRT uses advanced name matching systems that consider variations of names, including name variations provided by Yad Vashem, Israel, to ensure that all possible name matches are identified. The CRT has reviewed this claim carefully and analyzed matches to accounts belonging to account owners with alternative spellings of Ludwig Neumann's surname, which include Neuman, and has determined that these accounts do not belong to the Claimant's relative.

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, or the alternative surname of the account owner identified above, which form 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
8 August 2006