

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Leopold Newman (Neuman)

in re Account of M. Neumann¹

Claim Number: 202689/MD/AY²

This Certified Denial is based on the claim of Leopold Newman (Neuman) (the “Claimant”) to an account of Marcus Neuman and Zyla Neuman, née Lemler. The CRT did not locate an account belonging to Marcus Neuman or Zyla Neuman, née Lemler, 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”). This Denial is to the published account of M. 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 Claimant

The Claimant submitted a Claim Form asserting that his father, Marcus Neuman, who was born in 1897 in Oświęcim, Poland, and was married to Zyla Neuman, née Lemler, owned a Swiss bank account. The Claimant stated that his father lived in Chorzów, Poland, where he owned a barber store and a beauty salon. The Claimant stated further that his father, who was Jewish, fled to the U.S.S.R. after the Nazi invasion of Poland, and died in Kazakhstan in 1942. The Claimant indicated that he was born on 18 December 1925 in Poland.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting his entitlement to a Swiss bank account owned by Marcus Neuman.

¹ In an effort to locate any and all accounts that might have belonged to the Claimant’s relative, the CRT has reviewed and analyzed all accounts whose owners’ names are substantially similar to that of the Claimant’s relative, even if the Claimant did not specifically claim that particular account.

² 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 202689.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his father, Marcus Neuman. The auditors who carried out the ICEP Investigation reported one account whose owner's first initial and last name are substantially similar to the name 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 1011275

The Bank's records indicate that the Account Owner was M. Neumann, who resided in Germany. The Bank's records also indicate the Account Owner's city of residence and show that the Account Owner held the account jointly with another person who appears to be closely related to the Account Owner. Furthermore, the Bank's records indicate the dates of opening and 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.

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 father is substantially similar to the published first initial and family name of the Account Owner, the information provided by the Claimant differs from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that his father resided in Chorzów, Poland, where his business was located. In contrast, the Bank's records show that the Account Owner resided in Germany. In addition, the CRT notes that the Claimant did not identify the person who jointly held the account with the Account Owner and who appears to be closely related to the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's father 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 the Special Master, c/o Claims Resolution Tribunal, P.O. Box 9564, 8036 Zurich, Switzerland.

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 that 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
13 October 2004