

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

in re Account of M. Neumann¹

Claim Number: 206917/MD/MG²

This Certified Denial is based on the claim of [REDACTED] (the “Claimant”) to an account of Miklos Neuman. The CRT did not locate an account belonging to Miklos Neuman 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, 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 asserting that his maternal uncle, Miklos Neuman, who was born in 1903 in Gyöngyös, Hungary, and was married to [REDACTED], née [REDACTED], owned a Swiss bank account. The Claimant stated that his uncle lived in Gyöngyös, where he owned two textile stores. The Claimant explained that Miklos Neumann was Jewish and was deported to Auschwitz, where he perished.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999 and an ATAG Ernst & Young claim form in 1998, asserting his entitlement to a Swiss bank account owned by Miklos 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 206917.

The Claimant submitted documents in support of his application, including: (1) his birth certificate; (2) his mother's birth certificate; and (3) a document certifying that the Claimant was a slave laborer for the Nazis.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Miklos Neuman. The auditors who carried out the ICEP Investigation reported one account whose owner's name is substantially similar to that 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 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 uncle is substantially similar to the published first initial and family 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 his uncle resided in Gyöngyös, Hungary. In contrast, the Bank's records show that the Account Owner resided in Germany. Furthermore, the Claimant failed to identify the person who held the account jointly 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 uncle 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
19 November 2004