

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Beata Marie Newman

in re Account of Olga Neumann

Claim Number: 213699/PI/SB¹

This Certified Denial is based on the claim of Beata Marie Newman (the “Claimant”) to the published account of Olga 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 her paternal grandmother, Olga Neumann, née Haurowitz, who was born on 27 July 1871 in Liberec, Czechoslovakia, and was married to Dr. Rudolf Neumann, owned a Swiss bank account. The Claimant stated that her grandmother, who was Jewish, resided in Liberec. The Claimant indicated that her grandfather, Dr. Rudolf Neumann, passed away in 1907. According to the Claimant, her grandparents had one child, Franz Sigmund Neumann (the Claimant’s father). The Claimant did not provide information about her grandmother’s fate, but indicated that she was a victim of Nazi Persecution. The Claimant indicated that she was born on 28 July 1938 in Prague, Czechoslovakia.

The Claimant submitted documents in support of her application, including her father’s military registration (*Militärbuch*), which indicates his parents’ names.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Olga 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 Identification Number.

¹ The Claimant submitted an additional claim to the account of Arthur Perutz, which is registered under the Claim Number 213731. In a separate decision, the CRT awarded this account to the Claimant. See *In re Account of Arthur Perutz* (approved on 25 October 2002).

Account 5023679

The Bank's records indicate that the Account Owner was Olga Neumann, who resided in Linz, Austria, and that the Power of Attorney Holders were Johan Neumann and Leo Neumann. The Bank's records also indicate the Account Owner's street address, the name, profession and date of death of the Account Owner's spouse, the name and title of the Account Owner's child, as well as the Account Owner's relationships to the Power of Attorney Holders. The Bank's records further indicate the dates on which the power of attorney forms were signed. Finally, the Bank's records contain the Account Owner's and the Power of Attorney Holders' signatures.

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 married name of her grandmother 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 grandmother resided in Czechoslovakia, that she was married to Dr. Rudolf Neumann, and that the couple had one child, the Claimant's father. In contrast, the Bank's records show that the Account Owner resided in Linz, Austria, that her spouse was a different person, and that her child had a different name than the Claimant's father's name. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandmother 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 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
19 November 2004