

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant Dan Naaman

**in re Accounts of Robert Neumann  
and  
Account of Robert Neumann  
(Power of Attorney Holders Fritz Neumann and Max Neumann)<sup>1</sup>  
and  
Accounts of Fritz Neumann  
and  
Account of Fräulein Johanna Naumann  
(Power of Attorney Holders Frau Helene Naumann and Robert Naumann)<sup>2</sup>**

Claim Number: 213180/SB

This Certified Denial is based on the claim of Dan Naaman, formerly Fritz Neumann, (the “Claimant”) to the accounts of Robert Neumann and Fritz Neumann. This Denial is to the published accounts of Robert Neumann (“Account Owner 1”) at the [REDACTED] (“Bank 1”), the published account of Robert Neumann (“Account Owner 2”) at the [REDACTED] (“Bank 2”), the published account of Robert Neumann (“Account Owner 3”), over which Max Neumann and another individual held power of attorney, at the [REDACTED] (“Bank 3”), to the published accounts of Fritz Neumann (“Account Owner 4”) at Bank 1, and to the published account of Johanna Naumann (“Account Owner 5”), over which Helene Naumann and Robert Naumann held power of attorney, at Bank 3.

All denials are published. Where a claimant has not requested confidentiality, as in this case, only the name of the bank has been redacted.

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<sup>1</sup> The CRT notes that, on the February 2001 published list of accounts determined by the Independent Committee of Eminent Persons (“ICEP”) to be probably or possibly those of Victims of Nazi Persecution (the “ICEP List”), Robert Neumann is indicated as owning an account for which the Power of Attorney Holders are identified as Fritz Neumann and Max Neumann. Upon careful review, the CRT has concluded that the Bank’s records evidence that Fritz Neumann had no connection with that account, and that Max Neumann and a different person held power of attorney over the account.

<sup>2</sup> 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’ or power of attorney holders’ names are substantially similar to that of the Claimant’s relative, even if the Claimant did not specifically claim that particular account and even if the Claimant could not identify the owner of the account as his relative. Moreover, the CRT recognizes that, in many cases, spellings of names have changed due to the passage of time in the decades since the Second World War, as well as due to the transcription of names into different languages.

## **Information Provided by the Claimant**

The Claimant submitted a Claim Form asserting that his father, Robert Neumann, who was born on 8 October 1883 in Graz, Austria, and was married to Ella Nikopoli in Vienna, Austria, owned a Swiss bank account. The Claimant stated that he was his parents' only child, and that his father may have opened an account in the Claimant's birth name, Fritz Neumann. The Claimant further stated that his parents were divorced in 1926, and that his father, who was Jewish, subsequently left Vienna and moved to Frankfurt, Germany, where he became a successful shoe designer and businessman. The Claimant continued that, in 1938, his father fled Germany for Switzerland, and, after being expelled from that country, to Brussels, Belgium. In addition, the Claimant explained that his father subsequently fled to Paris, France, and then to southern France, where he was caught attempting to cross the border into Spain. The Claimant continued that his father was ultimately interred at Recebodou, where he perished on 31 December 1941. The Claimant indicated that he was born on 10 August 1922 in Vienna, Austria, and that, after being expelled from high school in Vienna in 1938 because he was Jewish, he emigrated to Palestine (today Israel), where he continues to reside.

The Claimant submitted documents in support of his application, including: (1) his birth certificate; (2) his change-of-name certificate; (3) his father's birth certificate, and (4) his father's death certificate.

## **Information Available in the Banks' Records**

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Robert Neumann, and to himself, formerly Fritz 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 six accounts whose owners', or power of attorney holders' names match, or are substantially similar to, those provided by the Claimant. Upon review of the bank documents, the CRT also located one additional account that was not reported by the auditors. Each account is identified below by its Account Identification Number, which is a number assigned to the account by the ICEP auditors for tracking purposes.

### Accounts 1010785 and 1010786

Bank 1's records indicate that Account Owner 1 was Robert Neumann. Bank 1's records also indicate Account Owner 1's cities and country of residence. Furthermore, Bank 1's records indicate the dates of opening and closing of the accounts at issue.

### Account 2017044

Bank 2's records indicate that Account Owner 2 was Robert Neumann, who resided in Berlin, Germany. Bank 2's records also indicate Account Owner 2's title.

### Account 5026605

Bank 3's records indicate that Account Owner 3 was Robert Neumann, who resided in Berlin, Germany, and that the Power of Attorney Holders were Max Neumann and another person. Bank 3's records also indicate Power of Attorney Holder Max Neumann's city and country of residence. Pursuant to Article 6 of the Rules, the CRT requested the voluntary assistance of Bank 3 to obtain additional information about this account ("Voluntary Assistance"). On 27 May 2004, Bank 3 provided the CRT with an additional document, which is a power of attorney form and indicates Account Owner 3's street address, Power of Attorney Holder Max Neumann's street address and the second power of attorney holder's street address, city and country of residence. Finally, this document contains Account Owner 3's, Power of Attorney Holder Max Neumann's and the second power of attorney holder's signatures.

### Accounts 1012620 and 1012620.1

Bank 1's records indicate that Account Owner 4 was Fritz Neumann. Bank 1's records also indicate Account Owner 4's city and country of residence. Furthermore, Bank 1's records indicate the dates of closing of the accounts at issue.

### Account 5033594

Bank 3's records indicate that Account Owner 5 was Johanna Naumann, who resided in Delmenhost, Germany, and that the Power of Attorney Holders were *Frau* ("Mrs.") Helene Naumann and Robert Naumann. Bank 3's records also indicate Account Owner 5's street address, date of birth and relationship to Power of Attorney Holder Robert Naumann. Bank 3's records further indicate Power of Attorney Holder Robert Naumann's street address, city and country of residence, and identify the name of his child. Furthermore, Bank 3'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 Owners and Power of Attorney Holders

As for Accounts 1010785 and 1010786, the CRT concludes that the Claimant has not identified Account Owner 1 as his relative. Although the name of his father matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the unpublished information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant stated that his father resided in Austria until 1926, in Germany until 1938, and in Switzerland, Belgium and France thereafter. In contrast, Bank 1's records show that Account Owner 1 resided in another country, a country to which the Claimant established no connection.

Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's father are the same person.

As for Account 2017044, the CRT concludes that the Claimant has not identified Account Owner 2 as his relative. Although the name of his father matches the published name of Account Owner 2, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 2 available in Bank 2's records. Specifically, the Claimant stated that his father resided in Austria until 1926, in Frankfurt, Germany until 1938, and in Switzerland, Belgium and France thereafter. In contrast, Bank 2's records show that Account Owner 2 resided in Berlin, Germany, which is over 400 kilometers from Frankfurt. Further, the CRT notes that the Claimant stated that his father was a shoe designer and businessman, and did not indicate that he used a professional title. By contrast, Account Owner 2 held a professional title. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's father are the same person.

As for Account 5026605, the CRT concludes that the Claimant has not identified Account Owner 3 as his relative. Although the name of the Claimant's father matches the published name of Account Owner 3, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 3 available in Bank 3's records. Specifically, the Claimant stated that his father resided in Austria until 1926, in Frankfurt, Germany until 1938, and in Switzerland, Belgium and France thereafter. In contrast, Bank 3's records show that Account Owner 3 resided in Berlin, Germany. The CRT further notes that the Claimant did not identify Power of Attorney Holder Max Neumann, even though he appears to be related to Account Owner 3. Consequently, the CRT is unable to conclude that Account Owner 3 and the Claimant's father are the same person. Moreover, it should be noted that other claimants have plausibly identified Account Owner 3 as their relative. All decisions are published upon release on the CRT's website at [www.crt-ii.org](http://www.crt-ii.org).

As for Accounts 1012620 and 1012620.1, the CRT concludes that the Claimant has not identified Account Owner 4 as himself. Although the Claimant's name matches the published name of Account Owner 4, the information provided by the Claimant differs materially from the unpublished information about Account Owner 4 available in Bank 1's records. Specifically, the Claimant stated that he resided in Vienna, Austria until 1938, when he emigrated to Palestine. In contrast, Bank 1's records show that Account Owner 4 resided in another city and country. Consequently, the CRT is unable to conclude that Account Owner 4 and the Claimant are the same person.

As for Account 5033594, the CRT concludes that the Claimant has not identified Power of Attorney Holder Robert Naumann as his relative. Although the name of his father is substantially similar to the published name of Power of Attorney Holder Robert Naumann, the information provided by the Claimant differs materially from the unpublished information about Power of Attorney Holder Robert Naumann available in Bank 3's records. Specifically, the Claimant stated that he was his father's only child, whereas Bank 3's records show that Power of Attorney Holder Robert Naumann had another child. Further, the Claimant stated that his father resided in Austria until 1926, in Frankfurt, Germany until 1938, and in Switzerland, Belgium and France thereafter. In contrast, Bank 3's records indicate that Power of Attorney Holder Robert

Naumann resided in a city that is located approximately 280 kilometers from Frankfurt, and to which the Claimant established no connection. In addition, the CRT notes that the Claimant did not identify Account Owner 5, even though she appears to be related to Power of Attorney Holder Robert Naumann. Consequently, the CRT is unable to conclude that Power of Attorney Holder Robert Naumann 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 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 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  
21 September 2005