

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

**in re Account of Max Oppenheimer<sup>1</sup>**

Claim Number: 600814/AV<sup>2</sup>

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to accounts of Max Oppenheimer. This Denial is to the published account of Max Oppenheimer (the “Account Owner”) at the [REDACTED] (the “Bank”).<sup>3</sup>

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 to the Holocaust Claims Processing Office (“HCPO”) asserting that her maternal uncle, Max Oppenheimer, who was born on 20 March 1887 in Heldenbergen, Germany, and was married to [REDACTED], née [REDACTED], on 17 October 1926 in Worms, Germany, owned a Swiss bank account. According to the Claimant, her uncle, who was Jewish, resided in Frankfurt, Germany. The Claimant indicated that her uncle owned a lace and women’s novelties business. The Claimant stated that her uncle fled from Germany to Amsterdam, the Netherlands in November 1941, and that he was detained at Westerbork, the Netherlands. The Claimant indicated that her uncle perished at the Sobibor extermination camp on 28 May 1943. The Claimant indicated that she was born on 1 April 1924 in Frankfurt.

The Claimant submitted documents in support of her application, including her uncle’s inheritance certificate, identifying him as Max Oppenheimer, and indicating that he was born in Heldenbergen, that he was married in Worms, and that his last residence was in Amsterdam.

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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”), Max Oppenheimer is indicated as having two accounts. Upon careful review, the CRT has concluded that the Bank’s records evidence the existence of only one account.

<sup>2</sup> The Claimant submitted a claim, numbered B-00211, on 15 October 1997, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 600814.

<sup>3</sup> In this claim, the Claimant also claimed the accounts of Betty Rieser and Julius Kulb. The CRT will treat the claims to these accounts in separate determinations.

## **Information Available in the Bank's Records**

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Max Oppenheimer. 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, which is a number assigned to the account by the ICEP auditors for tracking purposes.

### Account 5032576

The Bank's records indicate that the Account Owner was Max Oppenheimer, who resided in Wintzenheim, France. The Bank's records also indicate the Account Owner's title.

## **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 uncle matches the published name of the Account Owner, the information provided by the Claimant differs materially from the published information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her uncle resided in Germany and the Netherlands. In contrast, the Bank's records show that the Account Owner resided in France. Furthermore, the CRT notes that the Claimant did not identify the Account Owner's title. 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 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 which 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  
21 September 2005