

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimants [REDACTED 1]

and [REDACTED 2]

## **in re Accounts of Rosa Oppermann**

Claim Numbers: 220530/SB; 220590/SB<sup>1</sup>

This Certified Denial is based on the claims of [REDACTED 1], née {REDACTED}, ( Claimant [REDACTED 1] ) and [REDACTED 2] ( Claimant [REDACTED 2] ) (together the Claimants ) to the account of Rosa (Rose, Rosine, Rosina) Oppermann.<sup>2</sup> This Denial is to the published accounts of Rosa Oppermann (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 Claimants**

The Claimants, who are sisters, each submitted a Claim Form asserting that Rosa Oppermann, née Moegerle, the spouse of their grandmother’s cousin, who was born on 6 May 1865 in Wuerttemberg, Germany, and was married to [REDACTED] on 11 September 1887 in Oehringen, Germany, owned a Swiss bank account. The Claimants indicated that their grandmother, [REDACTED], was the cousin of [REDACTED]. Claimant [REDACTED 1] stated that her relative, who was Jewish, resided in Oehringen with her husband. According to Claimant [REDACTED 1] the family lost contact with her relative in 1939 and it was assumed that she died during the Second World War. Claimant [REDACTED 1] stated that she was born on 11 May 1929 in Ossian, Iowa, the United States and Claimant [REDACTED 2] stated that she was born on 20 June 1925 in Ossian.

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<sup>1</sup> According to Article 37 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), claims to the same or related accounts may be joined in one proceeding at the CRT’s discretion. In this case, the CRT determines it appropriate to join the two claims of the Claimants in one proceeding.

<sup>2</sup> The CRT did not locate an account belonging to Rosa (Rosine, Rosina) Oppermann 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 ).

Claimant [REDACTED 2] submitted in support of her claim a marriage record for her relative, which indicates her maiden name Rosine Katharine Moegerle and that she was married in Oehringen.

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

The CRT notes that the Claimants submitted a claim to an account belonging to their relative, Rosa Oppermann. 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 three accounts whose owner's name matches that provided by the Claimant. 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 1010813 to 1010815

The Bank's records indicate that the Account Owner was Rosa Oppermann, who resided in Germany. The Bank's records also indicate the Account Owner's city of residence and the name of an individual who jointly owned the accounts at issue. Furthermore, the Bank's records indicate the dates of opening for all of the accounts, and the dates of closing for two of the accounts at issue.

### **The CRT's Analysis**

#### Admissibility of the Claims

The CRT has determined that the claims are 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 Claimants have not identified the Account Owner as their relative. Although the name of their relative matches the published name of the Account Owner, the information provided by the Claimants differs materially from the unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimants stated that their relative resided in Oehringen, Germany. In contrast, the Bank's records show that the Account Owner resided in a city which is over 500 kilometers from Oehringen, a city which the Claimants did not identify. The CRT also notes that the Claimants did not identify the person who jointly held the account at issue with the Account Owner, even though this person appears to be closely related to the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimants' relative are the same person.

#### Right of Appeal

Pursuant to Article 30 of the Rules, the Claimants 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 Claimants 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 Claimants 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 Claimants should be aware that the CRT will carry out further research on their claims to determine whether an award may be made based upon the information provided by the Claimants or upon information from other sources.

### **Certification of the Denial**

The CRT certifies this Denial for approval by the Court.

Claims Resolution Tribunal  
29 December 2005