

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to the Estate of Claimant [REDACTED 1], née [REDACTED],<sup>1</sup>  
represented by [REDACTED]  
also acting on behalf of [REDACTED 2]

## **in re Accounts of Carl Salomon**

Claim Number: 207295/LK/AH<sup>2</sup>

This Certified Denial is based on the claim of [REDACTED 1], née [REDACTED], (the “Claimant”) to the published accounts of Carl Salomon (“Account Owner 1”) at the [REDACTED] (“Bank 1”) and to the published account of Carl Salomon (“Account Owner 2”) at the [REDACTED] (“Bank 2”).<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’s son submitted a Claim Form on behalf of his mother asserting that his father, Carl (or Karl) Salomon, owned a Swiss bank account. According to the Claimant’s son, his father was born on 22 April 1902 in Elberfeld-Wupperthal, Germany, was married to [REDACTED 1], née [REDACTED], and lived in Elberfeld-Wupperthal. The Claimant’s son stated that his father, who was Jewish, was a lawyer and a civil judge who worked for a German law firm. The Claimant’s son stated that the firm, in an effort to facilitate his father’s escape from Nazi Germany, paid his salary into a numbered Swiss bank account. The Claimant’s son stated that his parents fled Germany on 1 July 1935 on the USS Manhattan, which took them from Hamburg to New York, the United States. The Claimant’s son stated that his father was unable to access his account from the United States. The Claimant’s son indicated that his father

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<sup>1</sup> The CRT notes that [REDACTED 1], née [REDACTED], passed away on 20 November 2001.

<sup>2</sup> [REDACTED 1], née [REDACTED], 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 207295. The CRT notes that the Initial Questionnaire and Claim Form were completed by the Claimant’s son, [REDACTED], on her behalf.

<sup>3</sup> In her claim, [REDACTED 1] also claimed the accounts of Meta Salomon. In a separate decision, the CRT awarded these accounts to Richard Salomon, who also acted on behalf of [REDACTED 2]. See *In re Accounts of Meta Salomon* (approved on 28 January 2003).

died on 17 March 1966 in the United States. The Claimant's son stated that he was born on 19 July 1942 in Boston, Massachusetts, the United States.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999 asserting her entitlement to a Swiss bank account owned by Carl (or Karl) Salomon.

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

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Carl (or Karl) Salomon. 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 owners' names match or are substantially similar to 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 5026892, 5033245

Bank 1's records indicate that Account Owner 1 was Carl Salomon who resided in Berlin, Germany. Bank 1's records also indicate Account Owner 1's street address, profession, and title. Furthermore, Bank 1's records indicate the year of opening of one of the accounts at issue and the dates of opening and closing of the other account.

#### Account 1013187

Bank 2's records indicate that Account Owner 2 was Carl Salomon who resided in Germany. Bank 2's records also indicate Account Owner 2's, city of residence, profession, and title. Furthermore, Bank 2'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

As for Accounts 5026892 and 5033245, the CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Although the name of her late husband matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant stated that her husband was a lawyer and civil judge, and that he lived in Elberfeld-Wupperthal, Germany, before fleeing to the United States in 1935. In contrast,

Bank 1's records show that Account Owner 1 had a different title and profession and resided in Berlin, Germany, which is located over 400 kilometers away from Elberfeld-Wupperthal. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's husband were the same person.

As for Account 1013187, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the name of her late husband matches to the published name of Account Owner 2, the information provided by the Claimant differs materially from the unpublished information about Account Owner 2 available in Bank 2's records. Specifically, the Claimant stated that her husband was a lawyer and a civil judge and that he lived in Elberfeld-Wupperthal, Germany, before fleeing to the United States in 1935. In contrast, Bank 2's records show that Account Owner 2 had a different profession and resided in a city that is over 400 kilometers from Elberfeld-Wupperthal. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's husband were 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