

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Vivien Goldberg

in re Account of Adolf Ullmann

Claim Numbers: 222700/AY

This Certified Denial is based upon the claims of Vivien Goldberg, née Löwendahl (the “Claimant”) to the published account of Adolf Ullmann (the “Account Owner”) at the Zurich branch of the [REDACTED] (the “Bank”).

All awards 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 great-grandfather, Adolf Ullmann, who was married to Rosa Ullmann, née Wolfgang, and who lived in Frankfurt am Main, Germany, owned a Swiss bank account. The Claimant indicated that Adolf Ullmann resided at Wöhlerstrasse 4 in Frankfurt am Main. The Claimant indicated that her great-grandfather, who was Jewish, was a businessman and a senior partner at *A. Oppenheimer & Company*, a haberdashery company, which was established in 1902 and which had offices in Frankfurt am Main and Paris, France. The Claimant stated during a telephone conversation with the CRT that Adolf Ullmann had a brother, Max Ullmann, who was also a senior partner at *A. Oppenheimer & Company*, and two sisters, Johanna Bertheim, née Ullmann, who was born in 1866 and was married to Mr. Bertheim, and Täubchen Oppenheimer, née Ullmann, who was married in 1878. The Claimant further stated that the information is based on a family book, written in 1932 by Wilhelm Wolfgang (the Claimant’s great-uncle) and on newspaper articles, all of which were submitted by the Claimant in support of her claim. The Claimant further indicated that Adolf Ullmann had one child, Toni Ullmann, the Claimant’s paternal grandmother, who was born sometime around 1880 and who was married to Richard Löwendahl on 23 November 1902. The Claimant stated that, while she had few biographical details about her great-grandfather, she believed that Adolf Ullmann was a Victim of Nazi Persecution and that he owned a Swiss bank account that she had tried to claim in the past. The Claimant indicated that she had made inquiries to at least one Swiss bank and a German governmental body attempting to locate the assets of her great-grandfather or his company, but with no success.

In support of her claim, the Claimant submitted numerous documents including newspaper articles indicating that Adolf Ullmann and Max Ullmann were senior partners in the

Oppenheimer company, her grandmother's wedding invitation indicating that Toni Ullmann from Frankfurt am Main was the daughter of Adolf Ullmann, a letter sent to the Claimant in 1998 from the Frankfurt city administration, which provides information about her great-grandfather's company, stating the names of the partners and their addresses. The Claimant also submitted a letter sent to her father by his aunt from Frankfurt am Main, dated 26 December 1938, which provides details about relatives who died and relatives who escaped from Nazi Europe to the United Kingdom and to the United States. The Claimant indicated that she was born on 19 August 1942 in Port Elizabeth, South Africa.

Information Available in the Bank's Records

The CRT notes that the Claimant submitted claims to an account belonging to her relative, Adolf Ullmann. 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 5029647

The Bank's records consist of a printout from the Bank's database and a power of attorney form. The printout indicates that the Account Owner was Adolf Ullmann, who resided in Wiesbaden, Germany, and that the Power of Attorney Holder was Johanna Ullmann. The records also indicate the opening date of the account at issue. The power of attorney form indicates the maiden name of the Power of Attorney Holder, the name of her husband and her relationship to the Account Owner.

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 and the Power of Attorney Holder as her relatives. Although the names of her great-grandfather and his sister match the published names of the Account Owner and the Power of Attorney Holder, the information provided by the Claimant differs from the published and unpublished information about the Account Owner and the Power of Attorney Holder available in the Bank's records. Specifically, the power of attorney form indicates the maiden name of the Power of Attorney Holder, which differs from the Claimant's great-grandfather's sister's maiden name. Furthermore, the relationship between the Account Owner and the Power of Attorney Holder, as

indicated in the Bank's record, is different from that indicated by the Claimant. Though the Claimant stated that her great-grandfather resided in Frankfurt am Main, Germany, while the Bank's records indicate that the Account Owner resided in Wiesbaden, Germany, this difference did not influence the CRT's decision, given the proximity of the two locations. Taking all of these factors into account, the CRT concludes that the Account Owner and the Claimant's great-grandfather are not 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 claims 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
29 June 2004