

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant [REDACTED]

**in re Accounts of Chaim Liebermann<sup>1</sup>**

Claim Number: 219130/WM<sup>2</sup>

This Certified Denial is based on the claim [REDACTED], née Liebermann, (the “Claimant”) to the published accounts of Chaim Liebermann. This Denial is to the published accounts of Chaim Liebermann (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 Claimant**

The Claimant submitted a Claim Form asserting that her paternal grandfather, Chaim Herman Liebermann, who was born in approximately 1871 in Sighet, Austria-Hungary (now Romania), and was married to Sera Liebermann, née Kahan, owned a Swiss bank account. According to the Claimant, her grandfather owned a wholesale flour and grain business. The Claimant indicated that her grandfather had contacts to Switzerland and held an account at a Swiss bank. The Claimant stated that her grandfather, who was Jewish, resided in Sighet until 1943, when he was deported by the Nazis to Auschwitz, where he perished. The Claimant indicated that she was born on 1 January 1924 in Romania.

The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Chaim Liebermann.

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<sup>1</sup> The CRT notes that, on the List of Account Owners Published in 2005, Chaim Liebermann is indicated as owning four accounts. Upon careful review, the CRT has concluded that the relevant bank records evidence that Chaim Liebermann owned only three accounts.

<sup>2</sup> The Claimant submitted an Initial Questionnaire (“IQ”) with the Court in 1999 and a Claim Form to the CRT. The CRT is treating the IQ and the Claim Form under the consolidated Claim Number 219130.

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

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Chaim Liebermann. 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 four accounts whose owner's or power of attorney holder's names match those 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 1012462, 1012463 and 1012464

The Bank's records indicate that the Account Owner was Chaim Liebermann. The Bank's records also indicate the Account Owner's city and country of residence, as well as a second city of residence for the Account Owner. The Bank's records also contain the name of an additional person who was a joint account owner for one of these accounts, and who appears to have been related 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

As for Accounts 1012462, 1012463 and 1012464, the CRT concludes that the Claimant has not identified the Account Owner as her relative. Although the name of her grandfather matches the published name of the Account Owner, the information provided by the Claimant differs materially from the published and unpublished information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that her grandfather resided in Sighet, Romania, until his deportation and subsequent death at Auschwitz in 1943. In contrast, the Bank's records indicate that the Account Owner resided in a different country, and that the Account Owner's second place of residence was also in a different country, which was not identified by Claimant, and to which the Claimant did not establish any connection. Moreover, the Claimant did not identify the other joint account owner for one of the accounts, even though that individual appears to be related to the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's grandfather 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(s) that form(s) 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