

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant Erica E. Williams

in re Accounts of Luise Lehmann and Account of Luise Hofmann

Claim Number: 205283/LK/AX¹

This Certified Denial is based on the claim of Erica E. Williams, née Lehmann, (the “Claimant”) to an account of Luise Lehmann, née Hofmann. This Denial is to the published and unpublished accounts of *Frau* Luise Lehmann (“Account Owner 1”) and to the published account of Luise Hofmann (“Account Owner 2”) at the [REDACTED] (the “Bank”).

All denials 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 mother, Luise Lehmann, née Hofmann, who was born on 23 September 1903 in Nuremberg, Germany, and was married to Stefan Lehmann on 23 June 1923 in Nuremberg, owned a Swiss bank account. The Claimant stated that her mother, who was Jewish, lived in Berlin, Germany from 1933 to 1937, and in the Netherlands from 1937 to 1939, at which time she moved to the United States, where she died on 28 October 1994. The Claimant indicated that she was born on 8 September 1928 in Fürth, Bavaria, Germany.

In support of her application, the Claimant submitted documents that included Luise Lehmann’s will.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Luise Lehmann, née Hofmann. The auditors who carried out the investigation to identify accounts of

¹ The Claimant submitted an additional claim to the account of Leo Lehmann, which is registered under the Claim Number 205282. The CRT has awarded the accounts of Leo Lehmann to the Claimant. This Award was approved by the Court on 1 July 2002. See *In Re Accounts of Leo Lehmann*.

Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons (“ICEP” or the “ICEP Investigation”) reported two accounts whose owners’ names match those provided by the Claimant. Upon review of the bank documents, the CRT also located one additional account that was not reported by the auditors. 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 1000452 and 1000452.1

The Bank’s records indicate that Account Owner 1 was *Frau* (Mrs.) Luise Lehmann, who resided in Berlin, Germany. The Bank’s records also indicate Account Owner 1’s maiden name, husband’s name, and husband’s title. Furthermore, the Bank’s records indicate the date of opening of one of the accounts at issue, and the dates of closing of both the accounts.

Account 1008871

The Bank’s records indicate that Account Owner 2 was Luise Hofmann, who resided in Germany. The Bank’s records also indicate Account Owner 2’s marital status and city of residence. Furthermore, the Bank’s records indicate the dates of opening and 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 1000452 and 1000452.1, the CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Although the name of her mother matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the unpublished information about Account Owner 1 available in the Bank’s records. Specifically, the Claimant stated that her mother’s maiden name was Hofmann and that she was married to Stefan Lehmann. In contrast, the Bank’s records show that Account Owner 1 had a different maiden name and that her husband had a different first name. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant’s mother are the same person.

As for Account 1008871, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the maiden name of her mother matches 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 the Bank’s records. Specifically, the Claimant stated that her mother was married to Stefan Lehmann in 1923, and that she lived in Berlin from 1933 until she moved to the Netherlands in 1937. In contrast, the Bank’s records

show that in the early 1930s Account Owner 2 had a different marital status, and lived in a city in Germany that is over 600 kilometers from Berlin. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's mother 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 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 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
30 September 2004