

# CLAIMS RESOLUTION TRIBUNAL

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

## **Certified Denial**

to Claimant Barry Goldmeier  
also acting on behalf of Lee Goldmeier

## **in re Account of Julius Loewenthal**

Claim Number: 220774/SB<sup>1</sup>

This Certified Denial is based on the claim of Barry Goldmeier (the “Claimant”) to the published account of Julius Loewenthal (the “Account Owner”) 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 his maternal great-uncle, Julius Loewenthal, who was born in 1896 in Aschaffenburg, Germany and was married to Rosa Baumann, owned a Swiss bank account. The Claimant stated that his great-uncle, who was Jewish, resided in Aschaffenburg. The Claimant further stated that on 23 April 1942, his great-uncle was deported from Aschaffenburg to the Izbica concentration camp in Poland, where he perished. The Claimant indicated that he was born on 12 April 1946 in New York, New York, the United States.

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

The CRT notes that the Claimant submitted a claim to an account belonging to his relative, Julius Loewenthal. 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.

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<sup>1</sup> The Claimant submitted additional claims to the accounts of Hortenzia Levinger, Jakob Baumann, Siegfried Kahn, Jakob Goldmeier, Herman Rosenbaum, Herman Levinger, Ludwig Meyer, Bertha Meyer, M. Bernheim, Gustov Kahn, E.J. Meyer, Martha Lowenthal, Henri Bernheim, Johanna Kahn, Eva Kahn, David Kahn and Ella Kahn, which are registered under the Claim Numbers 220773, 220775, 220776, 220777, 220778, 220779, 223278, 223279, 223363, 223364, 223365, 223366, 223367, 223368 and 223369. In a separate decision, the CRT awarded the claim to the account of Jakob Baumann to the Claimant. See *In re Account of Jakob Baumann* (approved on 11 May 2005). The CRT will treat the remaining claims in separate determinations.

## Account 5029631

The Bank's records indicate that the Account Owner was Julius Loewenthal, who resided in Eschwege, Germany, and that the Power of Attorney Holder was Elsa Loewenthal. The Bank's records also indicate the year in which the account at issue was opened. Pursuant to Article 6 of the Rules, the CRT requested the voluntary assistance of the Bank to obtain additional information about this account ("Voluntary Assistance"), and the Bank provided the CRT with additional documents. These documents indicate the year in which the account at issue was closed, and the titles of the Account Owner and the Power of Attorney Holder, and contain the Account Owner's and the Power of Attorney Holder's signatures.

## **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 as his relative. Although the name of his great-uncle matches the published name of the Account Owner, the information provided by the Claimant differs materially from the published information about the Account Owner available in the Bank's records. Specifically, the Claimant stated that his great-uncle resided in Aschaffenburg, Germany. In contrast, the Bank's records show that the Account Owner resided in Eschwege, Germany, which is over 150 kilometers from Aschaffenburg. The CRT notes that Aschaffenburg and Eschwege are both relatively small German cities of similar size, rendering it unlikely that a resident of one of these cities would indicate the other city as his or her city of residence, including for purposes of maintaining a bank account. The CRT also notes that the Claimant did not identify the Power of Attorney Holder, even though she appears to be related to the Account Owner. Consequently, the CRT is unable to conclude that the Account Owner and the Claimant's great-uncle are the same person. Moreover, it should be noted that the CRT has awarded the account to another claimant, who plausibly identified the Account Owner as his relative and who correctly identified the Account Owner's city of residence. All decisions are published upon release on the CRT's website at [www.crt-ii.org](http://www.crt-ii.org).

### 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 Claima

nt 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 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 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  
30 November 2005