

CLAIMS RESOLUTION TRIBUNAL

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

Certified Denial

to Claimant [REDACTED]

**in re Account of *Frl.* Emma Kaufmann
and
Account of E. H. Meyer
and
Account of E. J. Meyer
and
Accounts of Emma Meyer
and
Account of Emmy Meyer (AKA Emmy Simon)
and
Account of E. O. Meyer
and
Accounts of *Frau* Franziska Maas and Fanny Maass-Von Portheim
(Power of Attorney Holder *Frau* Emmy Meyer)¹
and
Account of Werner H. Kaufmann
(Power of Attorney Holder *Frau* Emmy Kaufmann)**

Claim Number: 600656/OW²

This Certified Denial is based on the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the account of Emma Kaufman (or Kaupmann, Kaufmann).³ This Denial is to the published account of Emma Kaufmann (“Account Owner 1”) at the [REDACTED] (“Bank 1”), to the published account of E. H. Meyer (“Account Owner 2”) at the [REDACTED] (“Bank 2”), to the published account of E. J Meyer (“Account Owner 3”) at the [REDACTED] (“Bank 3”), to the published account of Emma Meyer (“Account Owner 4”) at Bank 3, to the published account of Emma Meyer (“Account Owner 5”) at Bank 3, to the published account of Emmy Meyer (“Account Owner 6”) at Bank 2, to the unpublished account of E. O. Meyer (“Account Owner

¹ In an effort to locate any and all accounts that might have belonged to the Claimant’s relative, the CRT has reviewed and analyzed all accounts whose owners’ or power of attorney holders’ names are the same as that of the Claimant’s relative, even if the Claimant could not identify the owner of the account as her relative.

² The Claimant submitted a claim, numbered B-01468, on 25 September 1998 to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department. This claim was referred by the HCPO to the CRT and has been assigned Claim Number 600656.

³ The CRT notes that the Claimant indicated alternate spellings of her grandmother’s surname, including Emma Kaufman and Emma Kaupmann in her claim form. The CRT has interpreted the latter spelling as a typing error. The CRT notes that, due to the family relationship between the Claimant and her grandmother, the CRT included the surname Kaufmann as another alternate spelling of the surname Kaufman.

7”) at the [REDACTED] (“Bank 4”), to the published accounts of Franziska Maas (“Account Owner 8”) and Fanny Maas-Von Portheim (“Account Owner 9”) over which Emmy Meyer, née Maas (“Power of Attorney Holder 1”) held power of attorney, at Bank 2, and to the published account of Werner H. Kaufmann (“Account Owner 10”), over which Emmy Kaufmann (“Power of Attorney Holder 2”) held power of attorney, at Bank 2.

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 to the Holocaust Claims Processing Office (“HCPO”) asserting that her maternal grandmother, Emma Kaufman, née Meyer, who was born on an unknown date in Germany, owned a Swiss bank account. The Claimant stated that her grandmother, who was Jewish, was married prior to the First World War and owned a grocery store in Germany. The Claimant further stated that her grandfather was killed in the First World War. According to the Claimant, her grandmother perished in a concentration camp prior to 1945. The Claimant indicated that she was born on 4 December 1926 in Wabern, Germany.

Information Available in the Bank’s Records

The CRT notes that the Claimant submitted a claim to an account belonging to her relative, Emma Kaufman, née Meyer. 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 ten accounts whose owners’ or power of attorney holders’ 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.

Account 4019614

Bank 1’s records indicate that Account Owner 1 was *Frl.* (Miss) Emma Kaufmann, who resided in Freiburg, Germany.

Account 5030755

Bank 2’s records indicate that Account Owner 2 was E. H. Meyer, who resided in Basel, Switzerland. Bank 2’s records also indicate Account Owner 2’s title. Furthermore, Bank 2’s records indicate the date of closing of the account at issue. Pursuant to Article 6 of the Rules Governing the Claims Resolution Process, as amended (the “Rules”), the CRT requested the voluntary assistance of Bank 2 to obtain additional information about this account (“Voluntary Assistance”). Bank 2 provided the CRT with additional documents. These records contain Account Owner 2’s signature.

Account 1012905

Bank 3's records indicate that Account Owner 3 was E. J. Meyer, who resided in Germany. Bank 3's records also indicate Account Owner 3's city of residence.

Account 1012835

Bank 3's records indicate that Account Owner 4 was Emma Meyer, who resided in Germany. Bank 3's records also indicate Account Owner 4's title, street address and city of residence.

Account 1011547

Bank 3's records indicate that Account Owner 5 was Emmy Meyer. Furthermore, Bank 3's records indicate the opening date of the account at issue.

Account 5030372

Bank 2's records indicate Account Owner 6 was Emmy Meyer, who resided in Freiburg, Germany. Bank 2's records indicate the name of the joint account owner who appears to be related to Account Owner 6. Furthermore, Bank 2's records indicate the title, the maiden name of Account Owner 6, and the name of the joint account owner, who appears to be related to Account Owner 6. Finally, Bank 2's records show the date of opening of the account at issue.

Account 2016072

Bank 4's records indicate that Account Owner 7 was E. O. Meyer. Furthermore, Bank 4's records indicate Account Owner 7's street address, city and country of residence, and the name of a person who held power of attorney over the account, who appears to be related to Account Owner 7.

Accounts 5024887, 5024706

Bank 2's records indicate that Account Owner 8 was *Frau* (Mrs.) Franziska Maas and Account Owner 9 was Fanny Maass-Von Portheim, who resided in Vienna, Austria, and that Power of Attorney Holder 1 was *Frau* (Mrs.) Emmy Meyer, née Maas. Bank 2's records also indicate Power of Attorney Holder 1's street address, city and country of residence, and relationship to Account Owner 8 and Account Owner 9. Furthermore, Bank 2's records indicate the dates of opening and closing of the accounts at issue.

Account 5034310

Bank 2's records indicate that Account Owner 10 was Werner H. Kaufmann, who resided in Ospedaletti, Italy, and that Power of Attorney Holder 2 was *Frau* (Mrs.) Emmy Kaufmann. Bank 2's records also indicate Power of Attorney Holder 2's maiden name, city and country of residence and title.

The CRT's Analysis

Admissibility of the Claim

The CRT has determined that the claim is admissible according to Article 18 of the Rules.

Identification of the Account Owner

As for Account 4019614, the CRT concludes that the Claimant has not identified Account Owner 1 as her relative. Although the name of her grandmother matches the published name of Account Owner 1, the information provided by the Claimant differs materially from the published information about Account Owner 1 available in Bank 1's records. Specifically, the Claimant stated that her grandmother's maiden name was Meyer, and that she was married prior to the First World War. In contrast, Bank 1's records indicate that Account Owner 1's maiden name was Kaufmann, and that she resided in Freiburg, Germany, a city to which the Claimant did not make a connection. Consequently, the CRT is unable to conclude that Account Owner 1 and the Claimant's grandmother are the same person.

As for Account 5030755, the CRT concludes that the Claimant has not identified Account Owner 2 as her relative. Although the name of her grandmother matches the published name of Account Owner 2, the information provided by the Claimant differs materially from the published and unpublished information about Account Owner 2 available in Bank 2's records. Specifically, the Claimant stated that her grandmother resided in Germany. In contrast, Bank 2's records show that Account Owner 2 resided in Switzerland. Furthermore, Bank 2's records indicate Account Owner 2's title, which is incompatible with the information provided by the Claimant. Consequently, the CRT is unable to conclude that Account Owner 2 and the Claimant's grandmother are the same person.

As for Account 1012905, the CRT concludes that the Claimant has not identified Account Owner 3 as her relative. Although the maiden name of her grandmother matches the published name of Account Owner 3, the information provided by the Claimant differs materially from the published information about Account Owner 3 available in Bank 3's records. Specifically, the Claimant stated that her grandmother's maiden name was Meyer and that she was married prior to the First World War. In contrast, Bank 3's records show that Account Owner 3 was still using the last name Meyer after the First World War. Furthermore Bank 3's records indicate the city of residence of Account Owner 3, to which the Claimant did not establish a connection. Consequently, the CRT is unable to conclude that Account Owner 3 and the Claimant's grandmother are the same person.

As for Account 1012835, the CRT concludes that the Claimant has not identified Account Owner 4 as her relative. Although the maiden name of her grandmother matches the published name of Account Owner 4, the information provided by the Claimant differs from the unpublished information about Account Owner 4 available in Bank 3's records. Specifically, the Claimant stated that her grandmother maiden name was Meyer and that she was married prior to the First World War. In contrast, Bank 3's records show that Account Owner 4 was still using the last name Meyer after the First World War. Furthermore, Bank 3's records indicate the street

address and city of residence of Account Owner 4, to which the Claimant did not establish a connection. Consequently, the CRT is unable to conclude that Account Owner 4 and the Claimant's grandmother are the same person.

As for Account 1011547, the CRT concludes that the Claimant has not identified Account Owner 5 as her relative. Although the maiden name of her grandmother matches the published name of Account Owner 5, the information provided by the Claimant differs from the published information about Account Owner 5, available in Bank 3's records. Specifically, the Claimant stated that her grandmother was married prior to the First World War. In contrast, Bank 3's records show that Account Owner 5 was still using the last name Meyer after the First World War. Consequently, the CRT is unable to conclude that Account Owner 5 and the Claimant's grandmother are the same person.

As for Account 5030372, the CRT concludes that the Claimant has not identified Account Owner 6 as her relative. Although the name of her grandmother matches the published name of Account Owner 6, the information provided by the Claimant differs materially from the published information about Account Owner 6 available in Bank 2's records. Specifically, the Claimant stated that her grandmother's maiden name was Meyer and that she was married prior to the First World War. In contrast, Bank 2's records show that Account Owner 6 had a different maiden name. Furthermore, Bank 2's records indicate the name of the joint account owner who appears to be related to Account Owner 6 and whom the Claimant did not identify. Consequently, the CRT is unable to conclude that Account Owner 6 and the Claimant's grandmother are the same person.

As for Account 2016072, the CRT concludes that the Claimant has not identified Account Owner 7 as her relative. Although the name of her grandmother matches the unpublished name of Account Owner 7, the information provided by the Claimant differs materially from the unpublished information about Account Owner 7 available in Bank 4's records. Specifically, the Claimant stated that her grandmother resided and owned a business in Germany. In contrast, Bank 4's records show that Account Owner 7 resided in a different country to which the Claimant did not establish a connection. Consequently, the CRT is unable to conclude that Account Owner 7 and the Claimant's grandmother are the same person.

As for Accounts 5024887 and 5024706, the CRT concludes that the Claimant has not identified Power of Attorney Holder 1 as her relative. Although the name of her grandmother matches the published name of Power of Attorney Holder 1, the information provided by the Claimant differs materially from the published information about Power of Attorney Holder 1 available in Bank 2's records. Specifically, the Claimant stated that her grandmother's maiden name was Meyer. In contrast, Bank 2's records show that Power of Attorney Holder 1's maiden name was Maas. Consequently, the CRT is unable to conclude that Power of Attorney Holder 1 and the Claimant's grandmother are the same person. Moreover, it should be noted that the CRT has awarded the account to other claimants, who plausibly identified Account Owner 8 and Account Owner 9 as their relatives. All decisions are published upon release on the CRT's website at www.crt-ii.org.

As for account 5034310, the CRT concludes that the Claimant has not identified Power of Attorney Holder 2 as her relative. Although the name of her grandmother matches the published name of Power of Attorney Holder 2, the information provided by the Claimant differs materially from the unpublished information about Power of Attorney Holder 2 available in Bank 2's records. Specifically, the Claimant stated that her grandmother's maiden name was Meyer. In contrast, Bank 2's records indicate that Power of Attorney Holder 2 had a different maiden name. Consequently, the CRT is unable to conclude that Power of Attorney Holder 2 and the Claimant's grandmother are the same person.

In addition, the CRT notes that the Claimant did not identify Account Owner 8, 9, or 10 as her relative, and that under Swiss law, a power of attorney holder is not considered to be the owner of an account. After a power of attorney holder dies, his or her powers in an account no longer exist, and they do not pass to his or her heirs. Therefore, even if the Claimant had identified Power of Attorney Holder 1 or 2, but not Account Owner 8, 9, or 10, as her relative, the Claimant would not have been entitled to the account unless there was evidence in Bank 2's records that the Power of Attorney Holder 1 or 2 and Account Owner 8, 9, or 10 were related.

The CRT has taken utmost care in matching the names of the person identified by the Claimant as a possible account owner to names of actual account owners identified in the Account History Database prepared pursuant to the ICEP Investigation. The CRT uses advanced name matching systems that consider variations of names, including name variations provided by Yad Vashem, Israel, to ensure that all possible name matches are identified. The CRT has reviewed this claim carefully and analyzed matches to accounts belonging to account owners with alternative spellings of Emma Kaufman and Meyer's surnames, which include Emma Meyer-Kleinert, Emmy Heumann-Kaufmann, Mayer E., and Mayer/Meyer E. Bankhaus, and has determined that these accounts do not belong to the Claimant's relative.

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, 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 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 2005