

FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
WASHINGTON, D.C. 20579

IN THE MATTER OF THE CLAIM OF

ESTHER SKALOVSKY

Under the International Claims Settlement
Act of 1949, as amended

Claim No. CU -1101

Decision No. CU - 3670

PROPOSED DECISION

Claimant, ESTHER SKALOVSKY, who owned stock interests in the Cia. Azucarera Vertientes-Camaguey de Cuba, Central Violeta Sugar Company, S.A., and Trans Cuba Oil Company asserts a claim under Title V of the International Claims Settlement Act of 1949, as amended, against the Government of Cuba because of its nationalization of said Company.

In our decisions entitled the Claim of Ruth Anna Haskew (Claim No. CU-0849), Claim of Huntley E. Cox (Claim No. CU-2944) and Claim of D. R. Wimberly (Claim No. CU-3417) which we incorporate herein by reference, we held that the properties owned by Vertientes, Central Violeta and Trans Cuba were nationalized or otherwise taken by the Government of Cuba on August 6, 1960, October 13, 1960 and November 23, 1959, respectively and that these types of claim are compensable to an American national under the facts and conditions set forth therein. We need not again detail here the reasons or the method used in determining the value per Vertientes share as \$46.3946; per Central Violeta share as \$30.4318; and per Trans Cuba share as \$0.1198.

On the basis of evidence in the record in the instant case, the Commission finds that this claimant comes within the terms of the Haskew, Cox and Wimberly decisions; that she was an American national at the requisite times; that she has been the owner of 65 shares of stock in the Cia. Azucarera Vertientes-Camaguey de Cuba, three shares of Central Violeta and 200 shares of Trans Cuba since prior to the respective dates of taking; and that she suffered a loss in the aggregate amount of \$3,130.91 within the meaning of Title V of the Act. Further, the Commission finds that the amount of loss sustained shall be increased by interest thereon at the rate of 6% per annum from the respective dates of taking to the date on which provisions are made for the settlement thereof. (See Haskew, Cox and Wimberly, supra.)

CERTIFICATION OF LOSS

The Commission certifies that ESTHER SKALOVSKY suffered a loss, as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended in the amount of Three Thousand One Hundred Thirty Dollars and Ninety-One Cents (\$3,130.91) with interest at 6% per annum from the respective dates of loss to the date of settlement.

Dated at Washington, D. C., and entered as the Proposed Decision of the Commission

28 MAY 1969

Leonard v. B. Sutton

Leonard v. B. Sutton, Chairman

Theodore Jaffe

Theodore Jaffe, Commissioner

Sidney Freidberg

Sidney Freidberg, Commissioner

NOTICE TO TREASURY DEPARTMENT: This claimant may be the subject of another certification of loss in CU-7927.

NOTICE TO TREASURY: The above-referenced securities may not have been submitted to the Commission or if submitted, may have been returned; accordingly, no payment should be made until claimant establishes retention of the securities for the loss here certified.

The statute does not provide for the payment of claims against the Government of Cuba. Provision is only made for the determination by the Commission of the validity and amounts of such claims. Section 501 of the statute specifically precludes any authorization for appropriations for payment of these claims. The Commission is required to certify its findings to the Secretary of State for possible use in future negotiations with the Government of Cuba.

NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed within 15 days after service or receipt of notice of this Proposed Decision, the decision will be entered as the Final Decision of the Commission upon the expiration of 30 days after such service or receipt of notice, unless the Commission otherwise orders. (FCSC Reg., 45 C.F.R. 531.5(e) and (g), as amended, 32 Fed. Reg. 412-13 (1967).)