IN THE MATTER OF THE CLAIM OF

LEON MISMAS
CAROLINE MISMAS

Under the International Claims Settlement
Act of 1949, as amended

Claim No. CU -7744

Decision No. CU 4963

Represented by Cia. Azucarera Atlantica del Golfo

Counsel for Cia. Azucarera Atlantica del Golfo: Dewey, Ballantine, Bushby, Palmer & Wood
By William C. Bush, Esq.

PROPOSED DECISION

Claimants, LEON MISMAS and CAROLINE MISMAS, who owned a stock interest in

the Cia. Azucarera Atlantica del Golfo, assert 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 decision entitled the Claim of Helen M. Drye, (Claim No. CU-0807

which we incorporate herein by reference), we held that the properties owned

by the Company were nationalized or otherwise taken by the Government of Cuba

on August 6, 1960, and that this type of claim is 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 share

of $34.056.

On the basis of evidence in the record in the instant case, the Commis-

sion finds that these claimants come within the terms of the Drye decision;

that they were American nationals at the requisite times; that LEON MISMAS

has been the owner of 200 shares of Atlantica and CAROLINE MISMAS has been

the owner of 730 shares of Atlantica since prior to August 6,1960; and that

LEON MISMAS suffered a loss in the amount of $6,811.20 and CAROLINE MISMAS

suffered a loss of $24,860.88 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 August 6, 1960, the date of

loss, to the date on which provisions are made for the settlement thereof. (See Drye, supra.)

CERTIFICATION OF LOSS

The Commission certifies that LEON MISMAS 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 Six Thousand Eight Hundred Eleven Dollars and Twenty Cents ($6,811.20) with interest at 6% per annum from August 6, 1960 to the date of settlement; and
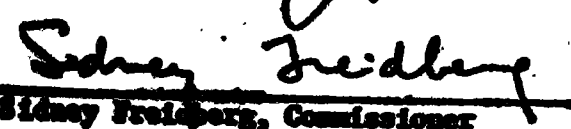
the Commission certifies that CAROLINE MISMAS suffered a loss, as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Twenty-Four Thousand Eight Hundred Sixty Dollars and Eighty-Eight Cents ($24,860.88) with interest at 6% per annum from August 6, 1960 to the date of settlement.

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

JUN 10 1970

Lyle S. Garlock, Chairman

Theodore Jaffe, Commissioner

Sidney Freidberg, Commissioner

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).)