

FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
WASHINGTON 25, D. C.

IN THE MATTER OF THE CLAIM OF

MIA FOSTER
577 Potomac Avenue
Buffalo 22, New York

Claim No. CZ-2,696

Decision No. CZ- /

Under the International Claims Settlement
Act of 1949, as amended

GPO 942329

PROPOSED DECISION

This is a claim against the Government of Czechoslovakia under Section 404 of the International Claims Settlement Act of 1949, as amended, by MIA FOSTER, a national of the United States since her naturalization in the United States on December 4, 1952, based on the nationalization of her one-fourth interest in the property of a factory known as "Wiener Brothers" in Klatovy, Czechoslovakia.

The record before the Commission discloses that the property upon which this claim is based was nationalized by the Government of Czechoslovakia during 1948, prior to the date on which the claimant became a national of the United States.

Section 404 of the Act provides, inter alia, for the determination by the Commission in accordance with applicable substantive law, including international law, of the validity and amount of claims by nationals of the United States against the Government of Czechoslovakia for losses resulting from the nationalization or other taking on and after January 1, 1945, of property, including any rights or interests therein, owned at the time by nationals of the

United States.

Section 405 of the Act provides that:

"A claim under section 404 of this title shall not be allowed unless the property upon which the claim is based was owned by a national of the United States on the date of nationalization or other taking thereof and unless the claim has been held by a national of the United States continuously thereafter until the date of filing with the Commission."

Since the property upon which this claim is based was not owned by a United States national on the date of nationalization or other taking thereof, the claim must be and hereby is, denied. The Commission finds it unnecessary to make determinations with respect to other elements of the claim.

Dated at Washington, D. C.

NOV 13 1959

BY DIRECTION OF THE COMMISSION:

Francis T. Masterson

Francis T. Masterson
Clerk of the Commission

W B
J S
EB
Wm

THIS DECISION WAS ENTERED AS THE COMMISSION'S
FINAL DECISION ON DEC 23 1959

Francis T. Masterson

Clerk of the Commission

2,696