

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

IN THE MATTER OF THE CLAIM OF

JOHN H. DEHAN, JULIA DEHAN and EDWARD DEHAN
d.b.a.
BIG "D" OIL AND INVESTMENT COMPANY

Claim No. CU -0456

Decision No. CU

3863

Under the International Claims Settlement
Act of 1949, as amended

PROPOSED DECISION

This claim was presented by JOHN H. DEHAN on behalf of BIG "D" OIL AND INVESTMENT COMPANY, a Louisiana partnership, which owned a participation interest in the Cuban Venezuelan Oil Voting Trust, and a stock interest in the Trans-Cuba Oil Company. The claim is asserted under Title V of the International Claims Settlement Act of 1949, as amended, against the Government of Cuba because of its nationalization of the aforesaid Cuban business enterprises. JOHN H. DEHAN, JULIA DEHAN and EDWARD DEHAN, d.b.a. BIG "D" OIL AND INVESTMENT COMPANY, were nationals of the United States at all times pertinent to this claim.

In our decisions entitled the Claim of Felix Heyman (Claim No. CU-0412) and the Claim of D. R. Wimberly (Claim No. CU-3417) which we incorporate herein by reference, we held that the properties owned or controlled by the Trust and the Company were nationalized or otherwise taken by the Government of Cuba on November 23, 1959, 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 for each unit of the Trust as being \$0.11971, and the value for each share of Trans-Cuba Oil as being \$0.1198.

On the basis of evidence in the record in the instant claim, the Commission finds that these claimants come within the terms of the Heyman and Wimberly decisions; that they have been the owners of 8,200 units of participation in the Cuban Venezuelen Oil Voting Trust and 11,900 shares of Trans-Cuba since prior to November 23, 1959; and that with respect to the Trust they suffered a loss in the amount of \$981.62 and with respect to 11,900 shares of Trans-Cuba they suffered a loss of \$1,425.62, 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 November 23, 1959, the date of loss, to the date on which provisions are made for the settlement thereof. (See Heyman, Wimberly, supra.)

CERTIFICATION OF LOSS

The Commission certifies that JOHN H. DEHAN, JULIA DEHAN and EDWARD DEHAN, d.b.a. BIG "D" OIL AND INVESTMENT COMPANY, 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 Two Thousand Four Hundred Seven Dollars and Twenty-Four Cents (\$2,407.24) with interest at 6% per annum from November 23, 1959 to the date of settlement.

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

SEP 11 1969

Leonard v. B. Sutton

Leonard v. B. Sutton, Chairman

Theodore Jaffe

Theodore Jaffe, Commissioner

Sidney Freidberg

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 or 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].)