

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

IN THE MATTER OF THE CLAIM OF

ALEXANDER RACOLIN

Under the International Claims Settlement
Act of 1949, as amended

Claim No. CU-0494

Decision No. CU
4759

PROPOSED DECISION

This claim against the Government of Cuba, filed under Title V of the International Claims Settlement Act of 1949, as amended, in the amount of \$5,000.00, was presented by ALEXANDER RACOLIN and is based upon the asserted loss of stock interests in and a debt due from Anuncios Cuba Trafico, S.A., a Cuban enterprise. Claimant has been a national of the United States since birth.

In our decision entitled the Claim of Philip A. Lukin (Claim No. CU-0854 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 April 22, 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 per share of \$19.2944.

On the basis of evidence in the record in the instant case, the Commission finds that this claimant comes within the terms of the Lukin decision; that he was an American national at the requisite times; that he has been the owner of 82 shares of stock in Anuncios since prior to April 22, 1959; and that he suffered a loss in the amount of \$1,582.14 within the meaning of Title V of the Act, in that

Additionally, the record shows and the Commission finds that at the time of loss Anuncios was indebted to claimant here in the amount of \$1,666.66, and that he thus suffered a further loss in that amount.

Accordingly, the Commission holds that ALEXANDER RACOLIN suffered a loss of \$3,248.80 within the meaning of Title V of the Act, as a result of the actions of the Government of Cuba.

The Commission has decided that in certification of losses on claims determined pursuant to Title V of the International Claims Settlement Act of 1949, as amended, interest should be included at the rate of 6% per annum from the date of loss to the date of settlement (see Claim of Lisle Corporation, Claim No. CU-0644), and in the instant case it is so ordered.

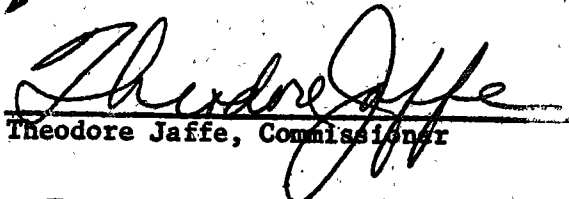
CERTIFICATION OF LOSS

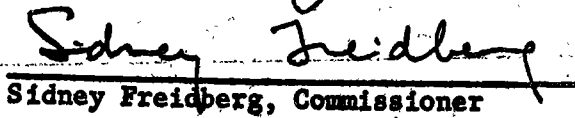
The Commission certifies that ALEXANDER RACOLIN suffered a loss, as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Three Thousand Four Hundred Forty-eight Dollars and Eighty Cents (\$3,248.80) with interest thereon at 6% per annum from April 22, 1959 to the date of settlement.

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

APR 22 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 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).)