

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

IN THE MATTER OF THE CLAIM OF

LILLIAN ELIZABETH HAUER

Under the International Claims Settlement
Act of 1949, as amended

Claim No. CU - 1025

Decision No. CU - 4919

PROPOSED DECISION

Claimant, LILLIAN ELIZABETH HAUER, who owned a stock interest in Vivares, S.A., asserts a claim in the amount of \$109,200.00 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 Claims of Janet H. Kline, Individually and Janet H. Kline as Executrix of the Estate of Alvin W. Kline, Deceased (Claim Nos. CU-2158-9 which we incorporate herein by reference), we held that the properties owned by the Company were intervened or otherwise taken by the Government of Cuba on June 30, 1962, 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 Vivares, S.A. as \$108.9513.

On the basis of evidence in the record in the instant case, the Commission finds that this claimant comes within the terms of the Kline decision; that she and the predecessors in interest were American nationals at the requisite times; that she and the predecessors in interest have been the owners of 909.5 shares of stock in Vivares, S.A., since prior to June 30, 1962; and that she suffered a loss in the amount of \$99,091.21 for her stock interest within the meaning of Title V of the Act.

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.

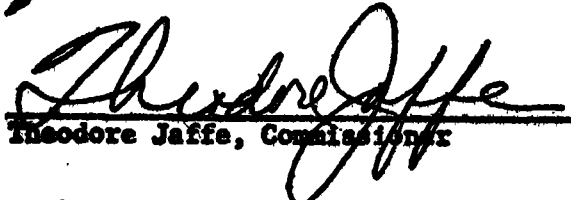
CERTIFICATION OF LOSS

The Commission certifies that LILLIAN ELIZABETH HAUER 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 Ninety-Nine Thousand Ninety-One Dollars and Twenty-One Cents (\$99,091.21) with interest at 6% per annum from June 30, 1962, the date of loss, to the date of settlement.

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

JUN 3 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).)