

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

IN THE MATTER OF THE CLAIM OF

MAE M. SEELIG

Under the International Claims Settlement  
Act of 1949, as amended

Claim No. CU 3098

Decision No. CU - 868

Counsel for claimant:

Marvin Weinstein, Esq.

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Appeal and objections from a Proposed Decision entered December 20,  
1967; oral hearing requested.

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FINAL DECISION

An oral hearing was scheduled on the above-entitled matter for  
July 22, 1969 at 10:00 A.M. at the offices of the Commission,  
1111 20th Street, N.W., Washington, D. C., with due notice given  
to the claimant. No request for a continuance was made and claimant  
indicated through counsel that she did not intend to appear at the  
scheduled time.

Full consideration having been given to the objections of the  
claimant and the record, and general notice of the Proposed Decision  
having been posted for 30 days, it is

ORDERED that the Proposed Decision be and the same is hereby entered as the Final Decision on this claim.

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

OCT 1 1969

*Leonard v. B. Sutton*

Leonard v. B. Sutton, Chairman

*Theodore Jaffe*

Theodore Jaffe, Commissioner

*Sidney Freidberg*

Sidney Freidberg, Commissioner

GU-3098

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Counsel for Claimant:

Marvin Weinstein, Esq.

PROPOSED DECISION

This claim against the Government of Cuba, under Title V of the International Claims Settlement Act of 1949, as amended, in the amount of \$41,950.00, was presented by MAE M. SEELIG based upon the asserted loss of a business, household furnishings, insurance policy, bank deposit, cash and other personal property. Claimant has been a national of the United States since her birth in the United States.

Under Title V of the International Claims Settlement Act of 1949 [78 Stat. 1110 (1964) 22 U.S.C. §§1643-1643k (1964), as amended, 79 Stat. 988 (1965)]<sup>7</sup>, the Commission is given jurisdiction over claims of nationals of the United States against the Government of Cuba. Section 503(a) of the Act provides that the Commission shall receive and determine in accordance with applicable substantive law, including international law, the amount and validity of claims of nationals of the United States against the Government of Cuba arising since January 1, 1959 for

losses resulting from the nationalization, expropriation, intervention or other taking of, or special measures directed against, property including any rights or interests therein owned wholly or partially, directly or indirectly at the time by nationals of the United States.

Section 502(3) of the Act provides:

The term 'property' means any property, right, or interest including any leasehold interest, and debts owed by the Government of Cuba or by enterprises which have been nationalized, expropriated, intervened, or taken by the

Section 502(3) of the Act provides:

The term 'property' means any property, right, or interest including any leasehold interest, and debts owed by the Government of Cuba or by enterprises which have been nationalized, expropriated, intervened, or taken by the Government of Cuba and debts which are a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba.

Section 504 of the Act provides, as to ownership of claims, that

(a) A claim shall not be considered under section 503(a) of this title unless the property on which the claim was based was owned wholly or partially, directly or indirectly by a national of the United States on the date of the loss and if considered shall be considered only to the extent the claim has been held by one or more nationals of the United States continuously thereafter until the date of filing with the Commission.

The Regulations of the Commission provide:

The claimant shall be the moving party and shall have the burden of proof on all issues involved in the determination of his claim. (FCSC Reg., 45 C.F.R. §531.6(d) (Supp. 1967).)

By Commission letter of August 8, 1967, claimant, through counsel, was advised as to the type of evidence proper for submission to establish her claim under the Act.

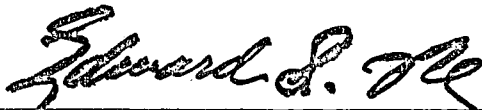
On October 20, 1967, claimant, through counsel, was invited to submit any evidence she might have within 45 days from that date, and she was informed, that, absent such evidence it might become necessary to determine the claim on the basis of the present record. Counsel was further advised that if no reply was received from her within 10 days of the letter, a copy thereof would be sent to the claimant. No reply having been received from counsel within the 10 day period, a copy of October 20, 1967 letter was forward to the claimant under covering letter of November 15, 1967. Claimant was reminded that if the suggested evidence was not received within 45 days of the October 20, 1967 letter that it might be necessary to determine the claim on the basis of the present record. Claimant has not responded to the correspondence of the Commission

and no evidence has been submitted in support of this claim.

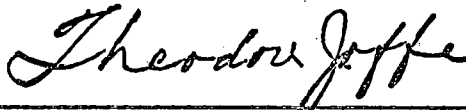
The Commission finds that claimant has not met the burden of proof, in that she has failed to establish ownership of rights and interests in property which was nationalized, expropriated or otherwise taken by the Government of Cuba. Accordingly, this claim is hereby denied. The Commission deems it unnecessary to determine other elements of this claim.

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

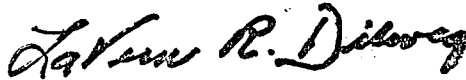
20 DEC 1967



Edward D. Re, Chairman

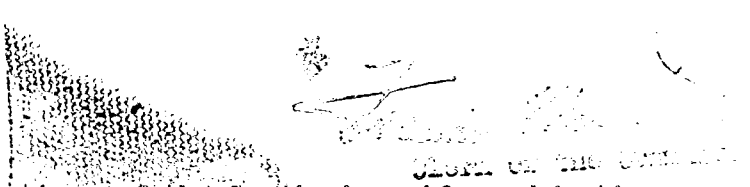


Theodore Jaffe, Commissioner



LaVern R. Dilweg, Commissioner

This is a true and correct copy of the decision  
of the Commission which was entered as the final  
decision on -----



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. (FCSO Reg., 45 C.F.R. 531.5(e) and (g) as amended, 32 Fed. Reg. 412-13 (1967).)

CU-3098