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

IN THE MATTER OF THE CLAIM OF

MARJORIE M. COPP,
EXECUTRIX OF THE ESTATE OF
GEORGE W. COPP, JR., DECEASED

Claim No. CU-8411

Decision No. CU 4195

Under the International Claims Settlement Act of 1949, as amended

Represented by Cia. Cubana Primadera, S.A.

Counsel for Cia. Cubana Primadera, S.A.: Milbank, Tweed, Hadley and McCloy
By Adlai S. Hardin, Jr., Esq.

PROPOSED DECISION

Claimant, MARJORIE M. COPP, EXECUTRIX OF THE ESTATE OF GEORGE W. COPP, JR., DECEASED, who owned a stock interest in the Cia. Cubana Primadera, S.A., asserts a claim 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 Claim of Martha P. Balme (Claim No. CU-8162 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 August 7, 1960, 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 preferred share as $92.1936, leaving no value to the common stock.

On the basis of evidence in the record in the instant case, the Commission finds that GEORGE W. COPP, JR., who died on July 6, 1967, came within the terms of Balme decision; that he was an American national at the requisite times; that he had been the owner of 20 shares of preferred stock in the Cia. Cubana Primadera, S.A. since prior to August 7, 1960; and that he suffered a loss in the amount of $1,843.87 within the meaning of Title V of the Act.

Inasmuch as the common stock of Cubana Primadera, S.A., had no value on the date of loss, the portion of the claim based upon common stock must be and is hereby denied.

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 MARJORIE M. COPP, EXECUTRIX OF THE ESTATE OF GEORGE W. COPP, JR., DECEASED, 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 One Thousand Eight Hundred Forty-three Dollars and Eighty-seven Cents ($1,843.87) with interest at 6% per annum from August 7, 1960 to the date of settlement.

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

NOV 14 1969

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 for 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. 651.5(e) and (g), as amended, 32 Fed. Reg. 412-13 (1967).)