

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

IN THE MATTER OF THE CLAIM OF

AARON ROSENKRANZ
and
SELDA ROSENKRANZ

Claim No. CU-8565

Decision No. CU-6340

Under the International Claims Settlement
Act of 1949, as amended

AMENDED FINAL DECISION

Under date of August 4, 1971, the Commission entered its Proposed Decision in this matter certifying a loss to AARON ROSENKRANZ in the amount of \$12,446.40 for his one-half interest in 500 shares of stock of Guantanamo Sugar Company. So much of the claim as was asserted by SELDA ROSENKRANZ was denied as her United States nationality had not been established. The Proposed Decision was entered as Final on September 15, 1971.

Thereafter the Commission received a copy of the birth certificate of SELDA ROSENKRANZ establishing her United States nationality. Accordingly, the Final Decision is amended to reflect the entry of a Certification of Loss in favor of SELDA ROSENKRANZ in the amount of \$12,446.40 for her one-half interest in the said 500 shares of stock.

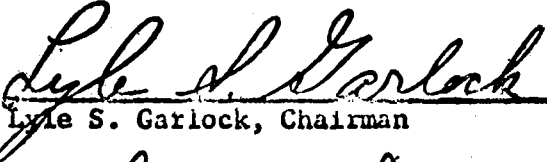
The Commission has decided that in certifications of loss on claims determined pursuant to Title V of the International Claims Settlement Act of 1949, as amended, interest should be included at the rate of 6% per annum from the date of loss to the date of settlement. (See Claim of Lisle Corporation, Claim No. CU-0644.)

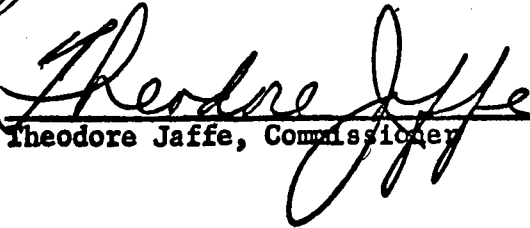
CERTIFICATION OF LOSS

The Commission certifies that SELDA ROSENKRANZ 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 Twelve Thousand Four Hundred Forty-Six Dollars and Forty Cents (\$12,446.40) with interest thereon at 6% per annum from August 6, 1960 to the date of settlement.

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

SEP 28 1971


Lyle S. Garlock, Chairman


Theodore Jaffe, Commissioner

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Claim No. CU -8565

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PROPOSED DECISION

Claimants, AARON ROSENKRANZ and SELDA ROSENKRANZ, who owned a stock interest in Guantanamo Sugar Company, assert 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 Henrietta Mae Siegel (Claim No. CU-3478 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 6, 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 share of \$49.7856.

On the basis of the record the Commission finds that claimants have been the owners of 500 shares of Guantanamo stock since prior to August 6, 1960. The record reflects that AARON ROSENKRANZ was a United States national at the requisite times. Evidence as to the nationality of SELDA ROSENKRANZ is not of record although submission of such evidence was suggested on a number of occasions.

The Commission finds that claimant SELDA ROSENKRANZ has not met the burden of proof in that she has failed to establish that her rights and interests in property which was nationalized, expropriated or otherwise taken by the Government of Cuba were owned by a national of the United States. (See Claim of Sigridur Einarsdottir, Claim No. CU-0728, 25 FCSC Semiann. Rep. 45 [July-December 1966].) Thus, the Commission is constrained to deny her portion of this claim and it is hereby denied.

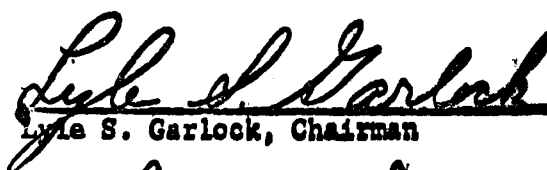
The Commission finds that AARON ROSENKRANZ suffered a loss in the amount of \$12,446.40 within the meaning of Title V of the Act, for his one-half interest in 500 shares of Guantanamo stock. Further, the Commission finds that the amount of loss sustained by AARON ROSENKRANZ shall be increased by interest thereon at the rate of 6% per annum from August 6, 1960, the date of loss, to the date on which provisions are made for the settlement thereof. (See Siegel, supra.)

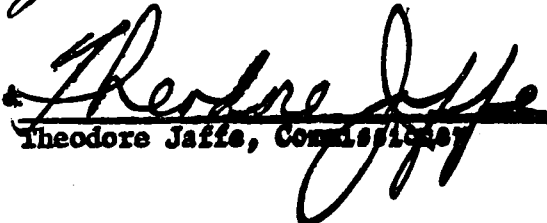
CERTIFICATION OF LOSS

The Commission certifies that AARON ROSENKRANZ 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 Twelve Thousand Four Hundred Forty-Six Dollars and Forty Cents (\$12,446.40) with interest at 6% per annum from August 6, 1960 to the date of settlement.

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

AUG 4 1971


Lyle S. Garlock, Chairman


Theodore Jaffe, 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 notice, unless the Commission otherwise orders. (FCSC Reg., 45 C.F.R. 531.5(e) and (g), as amended (1970).)

CU-8565