

FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
WASHINGTON 25, D. C.

IN THE MATTER OF THE CLAIM OF
MARIE JOSEPHINE RAINESH ✓
626 North Trenton Drive
Beverly Hills, California

BENJAMIN FERDINAND RAINESH ✓
4959 Romaine Street
Los Angeles 29, California

Under the International Claims Settlement
Act of 1949, as amended

Claim No. CZ-3,930 ✓

Decision No. CZ-1825

GPO 942329

PROPOSED DECISION

This is a claim against the Government of Czechoslovakia under Section 404, Title IV, of the International Claims Settlement Act of 1949, as amended, by MARIE JOSEPHINE RAINESH and BENJAMIN FERDINAND RAINESH for the nationalization or other taking of two bank deposits in Prague, Czechoslovakia.

Section 404 of the Act provides, inter alia, that the Commission shall determine the validity and amount of claims by nationals of the United States against the Government of Czechoslovakia for losses resulting from the nationalization or other taking on and after January 1, 1945, of property, including any rights or interests therein, owned at the time by nationals of the United States.

Claimant has failed to submit evidence sufficient to form the basis for findings by the Commission of facts essential to an award under Section 404 of the Act.

Section 531.6(d) of the Commission's regulations (45 CFR) provides that --

The claimant shall be the moving party and shall have the burden of proof on all issues involved in the determination of his claim.

Claimants herein have not established that they owned property in Czechoslovakia, and that it was nationalized or otherwise taken by the Government of Czechoslovakia on or after January 1, 1945. Accordingly, the claim is hereby denied.

The Commission deems it unnecessary to make determinations with respect to other elements of the claim.

Dated at Washington, D. C.

DEC 6 1960

BY DIRECTION OF THE COMMISSION:

Francis T. Masterson

Francis T. Masterson
Clerk of the Commission

WB
[Signature]
WBM

THIS DECISION WAS ENTERED AS THE COMMISSION'S
FINAL DECISION ON JAN 11 1961

Francis T. Masterson

Clerk of the Commission