

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

IN THE MATTER OF THE CLAIM OF

JOHANN GUTEKUNST
2435 North 7th Street
Philadelphia 33, Pennsylvania

Claim No. RUM-30,487

Decision No. RUM-532

Against the Government of Rumania
Under the International Claims Settlement
Act of 1949, as amended

OPC 16-72126-1

Counsel for Claimant:

Joseph H. Reiter, Esquire
22 Thornton Road
Philadelphia 14, Pennsylvania

FINAL DECISION

The Commission issued its Proposed Decision on this claim on October 6, 1958 , a copy of which was duly served upon the claimant(#). No objections or request for a hearing having been filed within twenty days after such service and general notice of the Proposed Decision having been given by posting for thirty days, it is

ORDERED that such Proposed Decision be and the same is hereby entered as the Final Decision on the claim, and it is further

ORDERED that the award granted therein be certified to the Secretary of the Treasury.

Dated at Washington, D. C.

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COMMISSIONERS

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Counsel for claimant:

Joseph H. Reiter, Esquire
22 Thornton Road
Philadelphia 14, Pennsylvania

PROPOSED DECISION

This is a claim against the Government of Rumania under Section 303(1) of the International Claims Settlement Act of 1949, as amended, for \$20,920.31 by JOHANN GUTEKUNST, a national of the United States since his birth in the United States on October 17, 1906, for the loss of property in Rumania during World War II.

The Commission finds that the claimant owned certain personal property, including items of property used in his threshing business, in Rumania, which was lost as a result of World War II and for which loss no compensation has been paid by the Government of Rumania. The Commission further finds that the loss actually sustained amounted to One Thousand Eight Hundred Dollars (\$1,800.00) and concludes that claimant is entitled to an award under Section 303(1) of the Act in the amount of One Thousand Two Hundred Dollars (\$1,200.00) since under this section awards are limited to two-thirds of the loss or damage actually sustained. Inasmuch as the statute prescribes such limitation, the portion of the claim asserted for interest in the amount of Eight Thousand Seven Hundred Fifty-Seven Dollars and Thirty-Four Cents (\$8,757.34) is denied.

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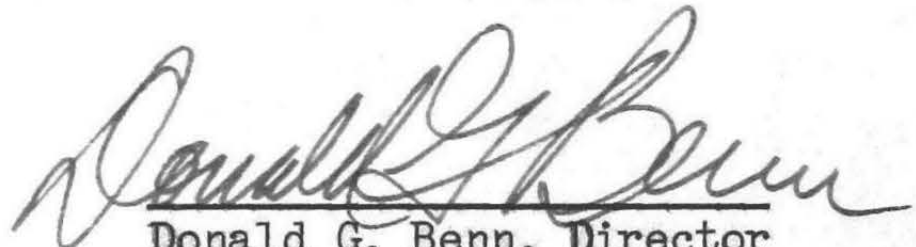
Pursuant to the provisions of the International Claims Settlement Act of 1949, as amended, this claim is allowed in part and an award is hereby made to JOHANN GUTEKUNST in the amount of One Thousand Two Hundred Dollars (\$1,200.00).

Payment of any part of this award shall not be construed to have divested the claimant herein, or the Government of the United States on his behalf, of any rights against the Government of Rumania for the unpaid balance of the claim, if any.

Dated at Washington, D. C.

OCT 6 1958

FOR THE COMMISSION:



Donald G. Benn, Director
Balkan Claims Division

