

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

IN THE MATTER OF THE CLAIM OF

PHILIP N. FORTIN

Under the International Claims Settlement
Act of 1949, as amended

Claim No. CU-8178

Decision No. CU

3640

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, PHILIP N. FORTIN, who owned a common 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 based on common stock of Cia. Cubana Primadera, S.A. is not compensable under the facts and conditions set forth therein; namely, because it had no value on the date of loss.

Accordingly, this claim must be and is hereby denied.

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

7 MAY 1969

Leonard v. B. Sutton

Leonard v. B. Sutton, Chairman

Theodore Jaffe

Theodore Jaffe, Commissioner

Sidney Freidberg

Sidney Freidberg, Commissioner

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

CU-8178