

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

IN THE MATTER OF THE CLAIM OF

SELMA MEDOFF

Under the International Claims Settlement
Act of 1949, as amended

Claim No. G-0001

Decision No. G-1299

PROPOSED DECISION

This claim in the amount of \$5,000.00 against the Government of the German Democratic Republic, under Title VI of the International Claims Settlement Act of 1949, as amended by Public Law 94-542 (90 Stat. 2509), is based upon five \$1,000 bonds issued by Saxon Public Works, Inc., due February 1, 1945, with coupons due semiannually between February 1937 and February 1945.

Claimant, SELMA MEDOFF, acquired United States citizenship by birth on January 17, 1911, in New York.

Under section 602, Title VI of the Act, the Commission is given jurisdiction as follows.

"The Commission shall receive and determine in accordance with applicable substantive law, including international law, the validity and amounts of claims by nationals of the United States against the German Democratic Republic for losses arising as a result of the nationalization, expropriation, or other taking of (or special measures directed against) property, including any rights or interests therein, owned wholly or partially, directly or indirectly, at the time by nationals of the United States whether such losses occurred in the German Democratic Republic or in East Berlin. . ."

In addition, subsection 601(3) of Title VI of the Act provides that:

"The term 'property' means any property, right or interest including any leasehold interest, and debts owed by enterprises which have been nationalized, expropriated, or taken by the German Democratic Republic for which no restoration or no adequate compensation has been made to the former owner of such property."

Based upon all the evidence of record, the Commission finds that claimant, SELMA MEDOFF, owns five \$1,000 bonds, issued by the Saxon Public Works, Inc., nos. M121, M3253, M9748, M9749, and M13202, with 17 \$35 interest coupons attached to each bond.

Furthermore, based upon all the evidence of record, including a report from the Commission's field office in West Germany, the Commission finds that on or about February 9, 1949, Saxon Public Works, Inc. was nationalized.

Claimant stated at the time of filing that the value of her loss was \$5,000 on the date of taking. The Commission, however, finds that, at the time of loss on February 9, 1949, both principal and interest on the attached coupons in the amounts of \$1,000.00 and \$595.00, respectively, were due and unpaid on each bond instrument. Accordingly, the Commission concludes that claimant is entitled to compensation under section 602 of the Act in the total amount of \$7,975.00 for the loss of payment on the five bonds and attached coupons.

The Commission notes that the record indicates that certain holders of bonds of the type for which an award is granted herein received some payment on these obligations from assets of Saxon Public Works, Inc. available in West Germany. However, the bonds so paid on had to be submitted and marked validated in order to participate in the funds available. The original bond instruments submitted in the instant claim bear no validation mark and, therefore, the Commission holds that claimant would not have received any payment on the bonds or coupons.

The Commission has concluded that in granting awards on claims under section 602 of Title VI of the Act, for the nationalization or other taking of property or interests therein, interest shall be allowed at the rate of 6% per annum from the date of loss to the date of settlement. (Claim of GEORGE L. ROSENBLATT, Claim No. G-0030, Decision No. G-0100 (1978)).

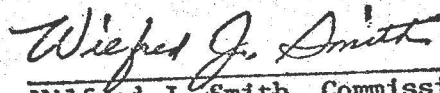
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Claimant, SELMA MEDOFF, is therefore entitled to an award in the amount of Seven Thousand Nine Hundred and Seventy-Five Dollars (\$7,975.00), plus interest at the rate of 6% simple interest per annum from February 9, 1949, until the date of the conclusion of an agreement for payment of such claims by the German Democratic Republic.

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


Richard W. Yarborough, Chairman

SEP 12 1979


Wilfred J. Smith, Commissioner

This is a true and correct copy of the decision
of the Commission which was entered as the final
decision on OCT 17 1979


Executive Director

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.)

At any time after Final Decision has been issued on a claim, or a Proposed Decision has become the Final Decision on a claim, but not later than 60 days before the completion date of the Commission's affairs in connection with this program, a petition to reopen on the ground of newly discovered evidence may be filed. (FCSC Reg., 45 C.F.R. 531.5 (1), as amended).

G-0001