

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

IN THE MATTER OF THE CLAIM OF

BENET POLIKOFF, EXECUTOR OF THE ESTATE  
OF MARGARET N. POLIKOFF, DECEASED

Under the International Claims Settlement  
Act of 1949, as amended

Claim No. CU -1388

Decision No. CU 3538

Counsel for claimant:

Polikoff and Clareman

PROPOSED DECISION

MARGARET N. POLIKOFF, who owned a stock interest in Colon Independent Trading Corporation, asserted a claim in the amount of \$5,786.70 under Title V of the International Claims Settlement Act of 1949, as amended, against the Government of Cuba because of its nationalization of said Corporation. MARGARET N. POLIKOFF died subsequent to the filing of the claim, and BENET POLIKOFF having been appointed Executor of her Estate, is substituted as claimant herein.

In our decision entitled the Claim of Estate of Montgomery Clift, Deceased (Claim No. CU-1385 which we incorporate herein by reference), we held that the properties owned by the Corporation were nationalized or otherwise taken by the Government of Cuba on September 1, 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 preferred stock as \$118 and the value per share of common stock as \$4.0418.

On the basis of evidence in the record in the instant case, the Commission finds that the decedent came within the terms of the Clift decision; that she was an American national at the requisite times; that she had been the owner of 46 shares of preferred stock and 85 shares of common stock in the Colon Independent Trading Corporation since prior to September 1, 1960; and that she suffered a loss in the amount of \$5,771.55 within the meaning of

Title V of the Act. Further, the Commission finds that the amount of loss sustained shall be increased by interest thereon at the rate of 6% per annum from September 1, 1960, the date of loss, to the date on which provisions are made for the settlement thereof. (See Clift, supra.)

CERTIFICATION OF LOSS

The Commission certifies that BENET POLIKOFF, EXECUTOR OF THE ESTATE OF MARGARET N. POLIKOFF, DECEASED, 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 Five Thousand Seven Hundred Seventy-one Dollars and Fifty-five Cents (\$5,771.55) with interest at 6% per annum from September 1, 1960 to the date of settlement.

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

MAR 5 1969

*Leonard v. B. Sutton*  
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Leonard v. B. Sutton, Chairman

*Theodore Jaffe*  
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Theodore Jaffe, Commissioner

*Sidney Freidberg*  
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Sidney Freidberg, 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 for 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 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).)