

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

IN THE MATTER OF THE CLAIM OF

IRICE H. TOMFORD, ADMINISTRATRIX
OF THE ESTATE OF CLARENCE M.
TOMFORD, DECEASED

Claim No. CU-1462

Decision No. CU-3520

Under the International Claims Settlement
Act of 1949, as amended

AMENDED FINAL DECISION

On February 19, 1969 the Commission issued its Proposed Decision in this matter certifying that Clarence M. Tomford who filed this claim on April 13, 1967, suffered a loss in the amount of \$872.71 with interest at 6% per annum on \$753.00 from October 13, 1960 and on \$119.71 from November 23, 1959 to the date of settlement. The decision was entered as final on March 19, 1969.

Documentation has been submitted reflecting that Clarence M. Tomford had died on January 8, 1969 and that IRICE H. TOMFORD was appointed Administratrix of the Estate. Accordingly, the Administratrix is substituted as claimant in this matter.

The Certification of Loss as restated below will be entered and in all other respects the Proposed and Final Decisions are affirmed.

CERTIFICATION OF LOSS

The Commission certifies that HEDGE H. TOMFORD, ADMINISTRATRIX OF THE ESTATE OF CLARENCE M. TOMFORD, 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 Eight Hundred Seventy-Two Dollars and Seventy-One Cents (\$872.71) with interest at 6% per annum on \$753.00 from October 13, 1960 and on \$119.71 from November 23, 1959, to the date of settlement.

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

DEC 10 1969

Theodore Jaffe

Theodore Jaffe, Commissioner

Sidney Freidberg

Sidney Freidberg, Commissioner

FOREIGN CLAIMS SETTLEMENT COMMISSION
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IN THE MATTER OF THE CLAIM OF

CLARENCE M. TOMFORD

Under the International Claims Settlement
Act of 1949, as amended

Claim No. CU-1462

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PROPOSED DECISION

Claimant, CLARENCE M. TOMFORD, who owned a common stock interest in the Havana Lithographing Company, and a participation interest in Cuban Venezuelan Oil Voting Trust, 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 entities.

In our decisions entitled the Claim of Central West Company (Claim No. CU-3440) and Claim of Felix Heyman (Claim No. CU-0412) which we incorporate herein by reference, we held that the properties owned by the Havana Lithographing Company were nationalized or otherwise taken by the Government of Cuba on October 13, 1960; that the properties of the Trust were taken on November 23, 1959; 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 common stock share of Havana Lithographing as \$2.51 and the value per Cuban Venezuelan unit as \$0.11971.

On the basis of evidence in the record in the instant case, the Commission finds that this claimant comes within the terms of the cited decisions, that he was an American national at the requisite times; that he has been the owner of 300 shares of stock in the Havana Lithographing Company since prior to October 13, 1960; that he has been the owner of 1,000 units of the Trust since prior to November 23, 1959 and that he suffered a loss in the amount of \$753.00 with respect to Havana Lithographing, and a loss of \$119.71 in respect to the

Trust, all 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 October 13, 1960, the date of loss, to the date on which provisions are made for the settlement thereof. (See Central West, supra.)

CERTIFICATION OF LOSS

The Commission certifies that CLARENCE M. TOMFORD 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 Eight Hundred Seventy-Two Dollars and Seventy-One Cents (\$872.71) with interest at 6% per annum on \$753.00 from October 13, 1960 and on \$119.71 from November 23, 1959, to the date of settlement.

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

FEB 19 1969

Leonard v. B. Sutton

Leonard v. B. Sutton, Chairman

Theodore Jaffe

Theodore Jaffe, Commissioner

Sidney Freidberg

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).)