

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

IN THE MATTER OF THE CLAIM OF

LOUIS A. PRANGE
FREDERICK A. PRANGE
KATHARINE C. PRANGE

Claim No. **CU** -2233

Decision No. **CU** -712

Under the International Claims Settlement
Act of 1949, as amended

AMENDED PROPOSED DECISION

By Proposed Decision issued November 22, 1967, this claim was denied for failure of proof. Additional evidence having been received, the Proposed Decision is hereby amended.

Claimant, LOUIS A. PRANGE, who owned a participation interest in the Cuban-Venezuelan Oil Voting Trust, asserted 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 Trust. FREDERICK A. PRANGE and KATHARINE C. PRANGE, having petitioned to be joined in this matter, it is

ORDERED that the petitions be and they are hereby granted.

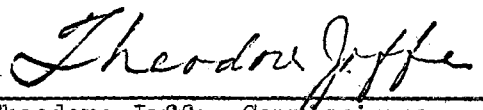
In our decision entitled the Claim of Felix Heyman (Claim No. CU-0412 which we incorporate herein by reference), we held that this type of claim is compensable to an American national under the facts and conditions set forth therein. We need not again detail here the reasons or the method used in determining the value per unit of \$0.11971.

in property which was nationalized, expropriated or otherwise taken by the Government of Cuba. Accordingly, this claim is hereby denied. The Commission deems it unnecessary to determine other elements of this claim.

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

22 NOV 1967


Edward D. Re, Chairman


Theodore Jaffe, Commissioner


LaVern R. Dilweg, 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-2489

On the basis of evidence in the record in the instant case, the Commission finds that the claimants come within the terms of the Heyman decision; that they were American nationals at the requisite times; that LOUIS A. PRANGE owned 200 units of participation in the Cuban-Venezuelan Oil Voting Trust; that FREDERICK A. PRANGE owned 100 units and KATHARINE C. PRANGE owned 400 units in said Trust, all since prior to November 23, 1959; and that they suffered losses in the following amounts within the meaning of Title V of the Act:

LOUIS A. PRANGE	\$23.94
FREDERICK A. PRANGE	\$11.97
KATHARINE C. PRANGE	\$47.88

Further, the Commission finds that the amount of loss sustained shall be increased by interest thereon at the rate of 6% per annum from November 23, 1959, the date of loss, to the date on which provisions are made for the settlement thereof. (See Heyman, supra.)

Accordingly, the following certifications of losses will be entered and in all other respects the Proposed Decision is affirmed.

CERTIFICATION OF LOSS

The Commission certifies that LOUIS A. PRANGE 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 Twenty-three Dollars and Ninety-four Cents (\$23.94) with interest at 6% per annum from November 23, 1959 to the date of settlement;

the Commission certifies that FREDERICK A. PRANGE 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 Eleven Dollars and Ninety-seven Cents (\$11.97) with interest at 6% per annum from November 23, 1959 to the date of settlement; and

the Commission certifies that KATHARINE C. PRANGE 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 Forty-seven Dollars and Eighty-eight Cents (\$47.88) with interest at 6% per annum from November 23, 1959 to the date of settlement.

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

FEB 5 1969

Leonard v. B. Sutton

Leonard v. B. Sutton, Chairman

Theodore Jaffe

Theodore Jaffe, Commissioner

Sidney Feidberg

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NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed within 15 days after service or receipt of notice of this Amended 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].)

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 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 claimants establish retention of the securities for the loss here certified.

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

IN THE MATTER OF THE CLAIM OF

LOUIS A. PRANGE

Under the International Claims Settlement
Act of 1949, as amended

Claim No. CU-2233

Decision No. CU

712

PROPOSED DECISION

This claim against the Government of Cuba, filed under Title V of the International Claims Settlement Act of 1949, as amended, in an un-stated amount, was presented by LOUIS A. PRANGE, and is based upon the asserted loss of a stock interest in the Cuban Venezuelan Oil Voting Trust. Claimant has been a national of the United States since birth.

Under Title V of the International Claims Settlement Act of 1949 [78 Stat. 1110 (1964) 22 U.S.C. §§1643-1643k (1964), as amended, 79 Stat. 988 (1965)], the Commission is given jurisdiction over claims of nationals of the United States against the Government of Cuba. Section 503(a) of the Act provides that the Commission shall receive and determine in accordance with applicable substantive law, including international law, the amount and validity of claims by nationals of the United States against the Government of Cuba arising since January 1, 1959 for

losses resulting from the nationalization, expropriation, intervention 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.

Section 502(3) of the Act provides:

The term 'property' means any property, right, or interest including any leasehold interest, and debts owed by the Government of Cuba or by enterprises which have been nationalized, expropriated, intervened, or taken by the Government of Cuba and debts which are a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba.

Section 504 of the Act provides, as to ownership of claims, that

(a) A claim shall not be considered under section 503(a) of this title unless the property on which the claim was based was owned wholly or partially, directly or indirectly by a national of the United States on the date of the loss and if considered shall be considered only to the extent the claim has been held by one or more nationals of the United States continuously thereafter until the date of filing with the Commission.

The Regulations of the Commission provide:

The claimant shall be the moving party and shall have the burden of proof on all issues involved in the determination of his claim. (FCSC Reg., 45 C.F.R. §531.6(d) (Supp. 1967).)

Claimant asserts the ownership and loss of a stock interest in the Cuban Venezuelan Oil Voting Trust. Other than a Statement of Security Account from Merrill, Lynch, Pierce, Fenner and Smith Inc., no documentary evidence was submitted in support of the claim, filed April 27, 1967. Accordingly, by Commission letter of July 7, 1967, claimant was advised as to the type of evidence proper for submission to establish this claim under the Act. Thereafter, on August 14, 1967, the Commission made additional suggestions to claimant's sister concerning the submission of supporting evidence in this matter. However, no evidence in response to these suggestions has been received to date.

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On October 4, 1967, claimant was invited to submit any evidence available to him within 30 days from that date, and he was informed that, absent such evidence, it might become necessary to determine the claim on the basis of the existing record. No evidence has since been submitted.

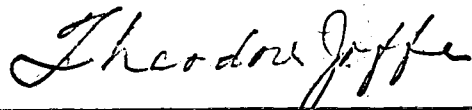
The Commission finds that claimant has not met the burden of proof in that he has failed to establish ownership of rights and interests in property which was nationalized, expropriated or otherwise taken by the Government of Cuba. Accordingly, this claim is denied. The Commission deems it unnecessary to make determinations with respect to other elements of the claim.

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

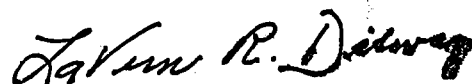
22 NOV 1967



Edward D. Re, Chairman



Theodore Jaffe, Commissioner



Lavern R. Dilweg, Commissioner

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