FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
WASHINGTON 25, D. C.

IN THE MATTER OF THE CLAIM OF

MRS. JOSEPH SUSSMAN
2609 Baird Boulevard
Camden 5, New Jersey

Claim No. PO-6645

Decision No. PO-407

Under the Polish Claims Agreement of 1960 and the International Claims Settlement Act of 1949, as amended

PROPOSED DECISION OF THE COMMISSION

This claim is based upon the asserted ownership and loss by the claimant, MRS. JOSEPH SUSSMAN, of property located in Poland, alleged to have been inherited from her grandfather, Mendel Kukielka.

Section 531.6 (d) of the Commission's Regulations (45 CFR) provides:

> The Claimant shall be the moving party and shall have the burden of proof on all issues involved in the determination of his claim.

In the instant case, evidence submitted discloses that the claimed property interests had been conveyed to others by the claimant's grandfather prior to his death so that the claimant did not succeed to the property. By the claimant's own admission she did not own the property upon which the claim is based, and the Commission so finds.

The Commission finds that the claimant has not met the burden of proof in that she has failed to establish her ownership of rights and interests in property which has been nationalized, appropriated or otherwise taken by Poland, as originally alleged. Accordingly, the claim is denied.

Dated at Washington, D. C.

MAY 16 1962

BY DIRECTION OF THE COMMISSION

Francis T. Masterson
Clerk