

DECONTROLLED

**From:** Melamud, Anna <MelamudA@state.gov>  
**Sent:** Monday, January 12, 2015 5:34 PM  
**To:** Simcock, Julian C <SimcockJC@state.gov>  
**Cc:** Grosh, Lisa J <GroshLJ@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>  
**Subject:** RE: claims paper  
**Attach:** Draft - Cuba Claims Paper for WHA-CCA +JS.docx

Lisa, Julian,

I have integrated the latest version Julian sent around with some edits from Jeff. [redacted]

[redacted]  
Thanks,  
Anna

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.....  
**From:** Simcock, Julian C  
**Sent:** Monday, January 12, 2015 3:47 PM  
**To:** Melamud, Anna  
**Cc:** Grosh, Lisa J  
**Subject:** RE: claims paper

Lisa, Anna,

I added two additional "if pressed" points to the Cuba claims paper for WHA/CCA. For ease of reference, I've included my additions below, tracked in red. They aim to address two possibilities: [redacted]

[redacted]  
[redacted] You'll see that the language with respect to the second point is borrowed from the language Lisa cleared on for the direct mail paper.

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Best,  
Julian

- [redacted]

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- [redacted]

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**From:** Melamud, Anna  
**Sent:** Friday, January 09, 2015 10:02 PM  
**To:** Simcock, Julian C  
**Cc:** Grosh, Lisa J  
**Subject:** RE: claims paper

Thanks to you both. I think this looks great, and additional "if asked" points would be much appreciated. Per the below, I have had the paper transferred to the low side. FYI, CCA will need to circulate this for wider clearance by Monday.

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**From:** Simcock, Julian C  
**Sent:** Friday, January 09, 2015 2:49 PM  
**To:** Melamud, Anna  
**Cc:** Grosh, Lisa J  
**Subject:** RE: claims paper

Hi Anna,

I just sent you Lisa's edits to the claims paper for WHA/CCA on the high side. Per her email, we'd like to give a little bit more thought to any additional "if asked" points that may be appropriate to include. We'll have something back to you on that score soon.

To your question, there isn't any reason that the paper can't be transferred to the low side; all of the information was sourced from the memo we sent to Brian Egan.

I'm leaving for the airport shortly, but I'll be available by blackberry.

Best,  
Julian

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**From:** Melamud, Anna  
**Sent:** Friday, January 09, 2015 12:32 PM

**To:** Simcock, Julian C  
**Cc:** Grosh, Lisa J  
**Subject:** claims paper

Julian/Lisa,

Are you already on the go (i.e. without access to the high side)? I was hoping we could nail down the property claims TPs. If you haven't had a chance to review yet, is there any reason they can't be transferred to the low side? I wasn't sure that there was anything in there that wasn't in the Egan paper.

Thanks,

Anna

Anna Melamud  
Attorney-Adviser, Western Hemisphere Affairs  
Office of the Legal Adviser  
U.S. Department of State  
Tel: (202) 647-6824  
[MelamudA@state.gov](mailto:MelamudA@state.gov)

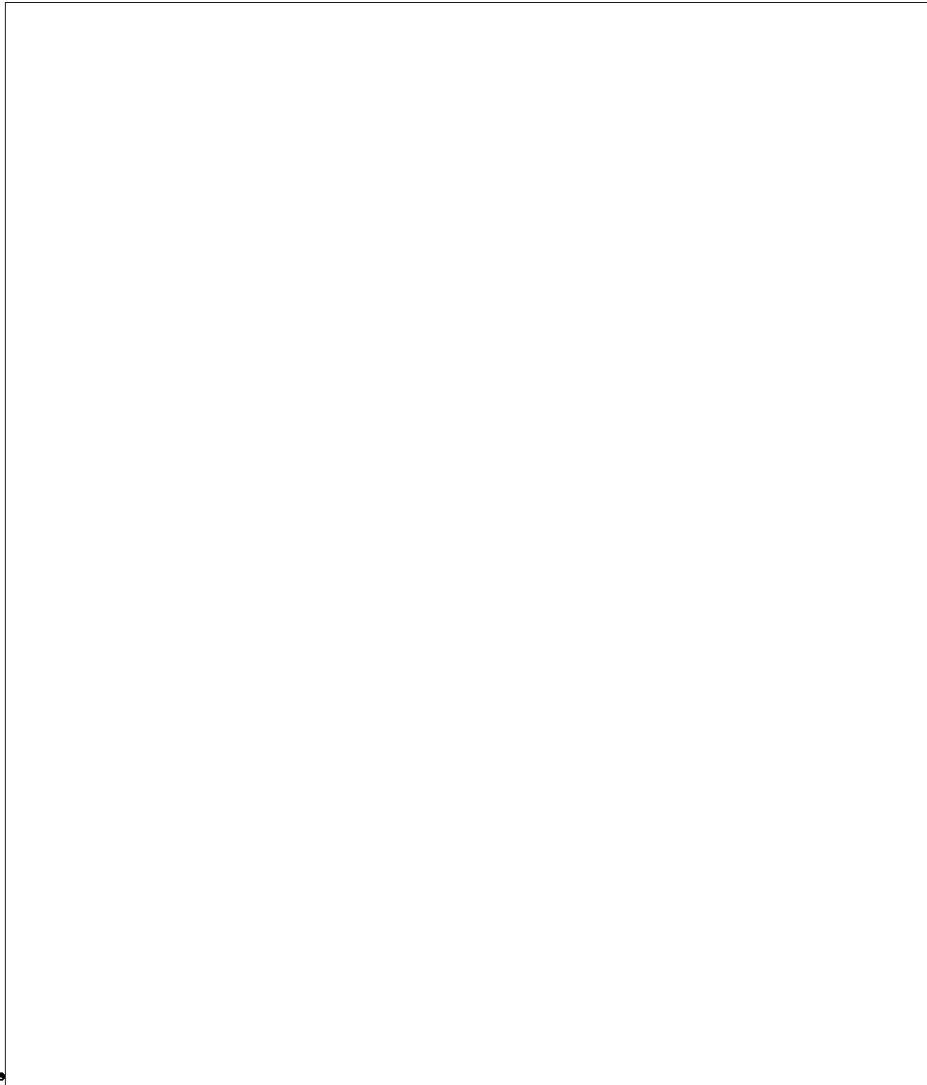
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CUBA PROPERTY AND TERRORISM-RELATED CLAIMS

Talking Points



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Comment [AM1]: I'm not sure we need this point here.

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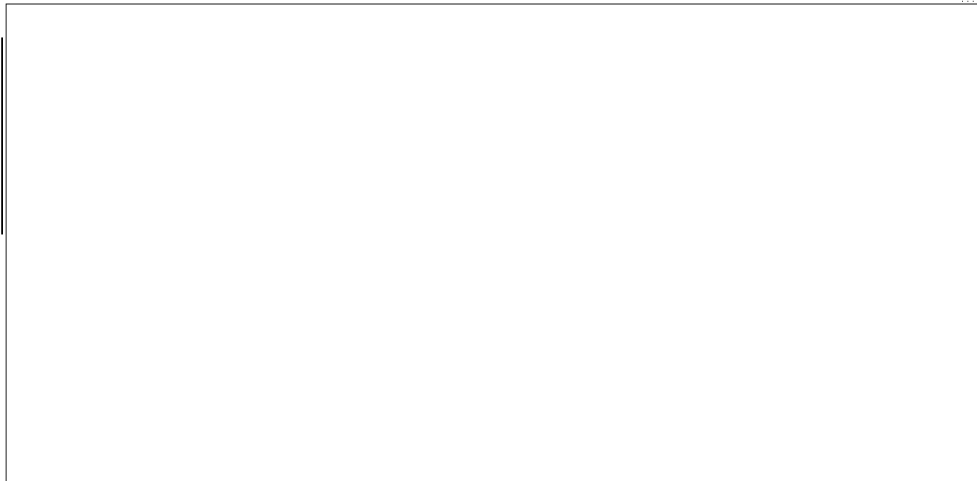
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- (U) U.S. nationals hold claims against the Cuban government totaling approximately \$10.16 billion, while the Cuban government may assert \$300 billion or more in claims against the United States.
- There are two categories of claims against Cuba: (1) those primarily related to the expropriation of property owned by U.S. nationals and adjudicated by the Foreign Claims Settlement Commission (FCSC), estimated at **\$8 billion (including interest)**; and (2) those related to unsatisfied terrorism-related court judgments against Cuba, estimated at **\$2.16 billion (not including punitive damages or interest)**. The property claimants have not received any compensation to date, while several claimants with terrorism-related judgments have recovered some or full compensatory damages, totaling approximately \$200 million.



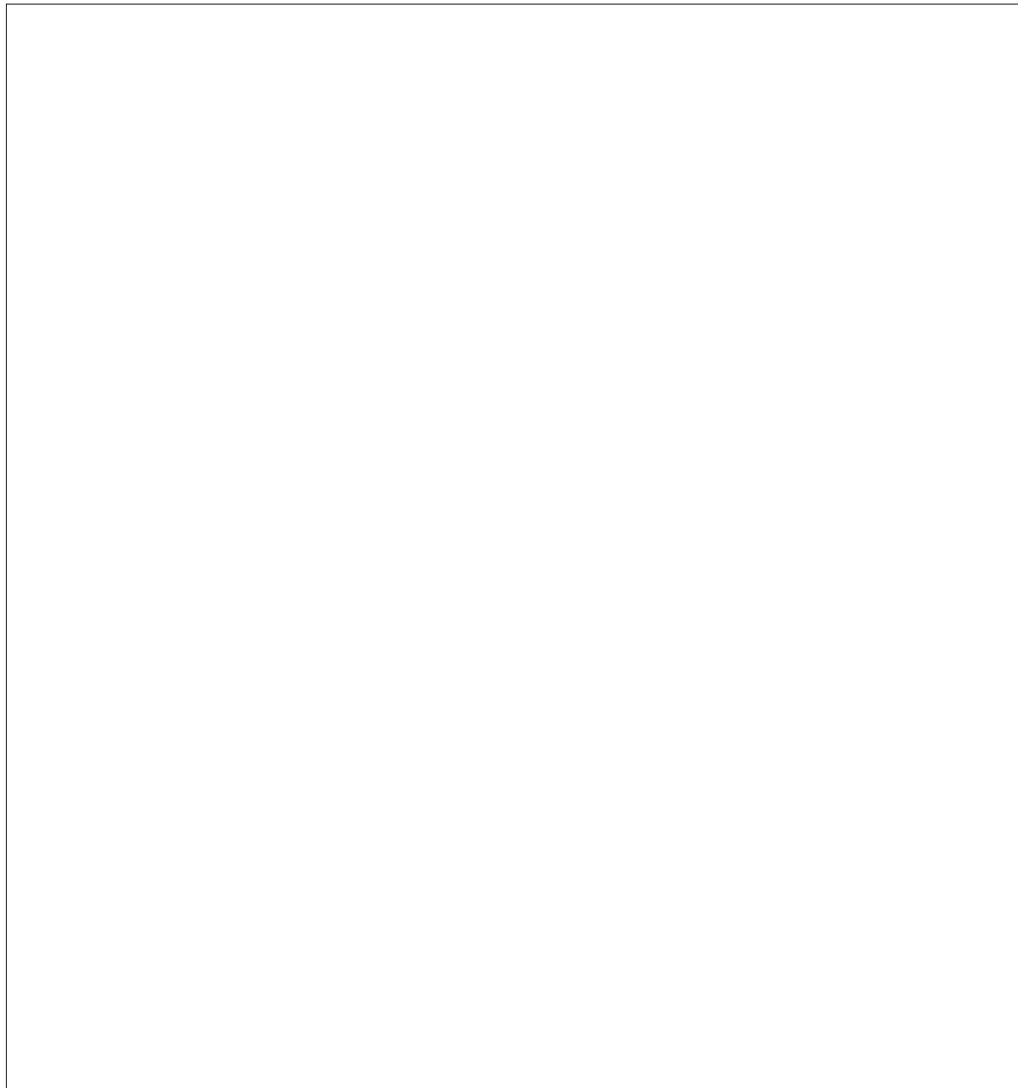
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No. 137/71

The Department of State presents its compliments to the Embassy of the Republic of Cuba and, building upon the cordial exchange of information that took place in Havana on December 8, 2015, wishes to propose a second meeting on claims, to be held in Washington D.C. on July 7 and 8, 2016. This meeting will provide an opportunity for the sides to seek agreement on the categories of claims and format that would best enable a constructive dialogue for settlement.

Upon confirmation of the availability of the Cuban delegation to travel to Washington on July 7 and 8, the Department of State will prepare an agenda to be discussed and agreed to by both sides ahead of the meeting.

The Department of State avails itself of this opportunity to renew to the Embassy of the Republic of Cuba the assurances of its highest consideration.

Department of State 

Washington, May 16, 2016.

DIPLOMATIC NOTE

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**From:** Barron, Benjamin A <BarronBA@state.gov>  
**Sent:** Wednesday, June 7, 2017 2:02 PM  
**To:** Haas, R Zack <HaasRZ@state.gov>; Neidhart de Ortiz, Jenifer L <NeidhartJL@state.gov>;  
Jeffreys, Jason P <JeffreysJP@state.gov>; Lacey, Edward <LaceyEd@state.gov>; Darrach, Tamara  
A <DarrachTA@state.gov>; Kovar, Jeffrey D <KovarJD@state.gov>; Tracton, Michael K  
<TractonMK@state.gov>; Veras, Karina <veraska@state.gov>; Heath, J. Benton  
<HeathJB@state.gov>; Randolph, Charles <RandolphC@state.gov>; Scott, Tamara L  
<ScottTL@state.gov>  
**Cc:** WHA-CCA Economic Unit <WHA-CCAEconomicUnit@state.gov>; Patel, Nutan B  
<PatelNB@state.gov>  
**Subject:** RE: Clearance Request: Response to Rubio/Nelson on Claims & Havana Club  
**Attach:** RubioNelson Claims HC Response.docx; RubioNelson Claims HC Letter - H20170605=004.pdf

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Clear for SPI. Thanks Zack.

Ben

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**Official - SBU**  
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**From:** Barron, Benjamin A  
**Sent:** Wednesday, June 07, 2017 1:57 PM  
**To:** Haas, R Zack; Neidhart de Ortiz, Jenifer L; Jeffreys, Jason P; Lacey, Edward; Darrach, Tamara A; Kovar, Jeffrey D; Tracton,  
Michael K; Veras, Karina; Heath, J. Benton  
**Cc:** WHA-CCA Economic Unit; Patel, Nutan B  
**Subject:** RE: Clearance Request: Response to Rubio/Nelson on Claims & Havana Club

Adding EB Colleagues and L/CID.

**Official - SBU**  
**UNCLASSIFIED**

**From:** Haas, R Zack  
**Sent:** Wednesday, June 07, 2017 1:55 PM  
**To:** Neidhart de Ortiz, Jenifer L; Jeffreys, Jason P; Lacey, Edward; Darrach, Tamara A; Barron, Benjamin A; Kovar, Jeffrey D  
**Cc:** WHA-CCA Economic Unit; Patel, Nutan B  
**Subject:** Clearance Request: Response to Rubio/Nelson on Claims & Havana Club

Dear colleagues,

Please clear by **2:00pm Thursday 6/8** on the attached response to a letter from Senators Rubio and Nelson regarding Cuba claims and the Havana Club trademark dispute. The language in this response is pulled from previously-cleared letters on those topics. See the PDF for the incoming letter from the Senators.

Please don't hesitate to reach out with any questions!

Cheers,  
Zack

R. Zack Haas • Bureau of Western Hemisphere Affairs, Office of Cuban Affairs • U.S. Department of State  
call: 202.736.4018 | email: [haasrz@state.gov](mailto:haasrz@state.gov)

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**UNCLASSIFIED**



**From:** Wells, Mark A (Cuban Affairs) <WellsMA@state.gov>  
**Sent:** Friday, June 5, 2015 8:02 AM  
**To:** Broas, Timothy M <BroasTM@state.gov>  
**Cc:** Christensen, Shane <ChristensenDS@state.gov>; Perkins, Joan C <PerkinsJC@state.gov>; Grosh, Lisa J <GroshLJ@state.gov>; Hilgert, Nicholas J <HilgertNJ@state.gov>; Melamud, Anna <MelamudA@state.gov>  
**Subject:** RE: Cuba Claims

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FULL

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Ambassador Broas: Thanks for the clarification. If it is a major lift then don't bother, but if you think it relatively easy we are actively reviewing different perspectives on the problem. Even a partial draft could be useful. Regards, Mark

Mark Wells  
Coordinator for Cuban Affairs  
U.S. Department of State, Rm. 3234  
202.647.9389

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**From:** Broas, Timothy M  
**Sent:** Friday, June 05, 2015 7:59 AM  
**To:** Wells, Mark A (Cuban Affairs)  
**Cc:** Christensen, Derek Shane; Perkins, Joan C; Grosh, Lisa J; Hilgert, Nicholas J; Melamud, Anna  
**Subject:** RE: Cuba Claims

Mark: good to hear from you. A few clarifications. One, USAID asked my firm to do this work during the first Bush (W) administration, not Clinton. I believe it was in 2001, before 9/11. Two, we never completed the project, and we never actually signed a USAID contract. The contract was pending and going through drafts, but we were working on the assignment on the expectation we would eventually finalize an agreement and receive payment. Unfortunately, the White House decided to pull the project and we dropped our pens and closed the books. Hence, the draft is incomplete. That draft is likely still in the hands and files of my former law firm, and I could ask them if they would release it for me to share with you.

Let me know if you'd like me to make this request.

All the best,

Tim Broas  
Ambassador  
U.S. Embassy The Hague  
Netherlands

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**From:** Wells, Mark A (Cuban Affairs)  
**Sent:** Tuesday, June 02, 2015 11:56 PM  
**To:** Broas, Timothy M  
**Cc:** Christensen, Derek Shane; Perkins, Joan C; Grosh, Lisa J; Hilgert, Nicholas J; Melamud, Anna  
**Subject:** Cuba Claims

Amb. Broas: Greetings from the Cuba Desk! DAS Palmieri reported back to me your discussion with A/S Jacobson about your previous work in the Clinton Administration regarding claims against Cuba. He specifically mentioned an analysis that you prepared under a USAID contract. As Roberta mentioned, we're in the process of studying the claims issue in preparation for engagement after reestablishment of diplomatic relations. If you have access to your prior work, we'd be happy to see it. I'm copying L/CID's Lisa Grosh who has been heading this up for us. I'm also happy to brief our progress on Cuba over the last six months if there is any interest. Thanks,  
Mark

Mark Wells  
Coordinator for Cuban Affairs  
U.S. Department of State, Rm. 3234  
202.647.9389

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