

# Castro victims awarded \$91M

**Two families whose relatives were executed by Castro agents in the 1960s can collect \$91 million in frozen Cuban government assets held in a U.S. bank, a federal judge ruled.**

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A New York federal judge on Friday ordered JP Morgan Chase Bank to turn over \$91 million in frozen Cuban assets to a South Florida family and others who had won huge damages claims against Fidel Castro's government for having executed two relatives more than four decades ago.

The judge ruled that \$23.9 million must be released within days to Janet Ray Weininger, of Palmetto Bay, the daughter of CIA pilot Thomas "Pete" Ray, who was shot down during the 1961 Bay of Pigs invasion and later executed by the Cuban government.

"I would give everything I have to get my father back in my life," said Weininger, who was 6 years old when he died. "These scars will always stay with me, but now I can focus on some good coming from this."

An additional \$67 million must also be handed over to the family of Howard Anderson, who was shot by a Cuban firing squad after the failed Bay of Pigs assault.

"This is the final justice, but it would have been so much better if Mom had been alive," said Bonnie Anderson, one of Dorothy and Howard Anderson's four children. "She is the one who has suffered more than any of us, although we have all suffered from the loss of our father. We're all in tears."

Both the Anderson and Weininger families had won Miami-Dade Circuit judgments respectively in 2003 and 2004 against the Cuban government.

Castro's government did not fight either family at trial, but the families' ability to collect the money remained in doubt. The reason: A dispute between the families and Office Max over access to Cuba's assets, which were frozen under the long-standing U.S. embargo.

In this case, Office Max, through a merger with another U.S. company, asserted that it inherited property claims for the Cuban Electric Company, which was

confiscated by Cuba in the 1960s. The retailer questioned the validity of the families' judgments and argued that the Cuban funds should cover its claims first.

Friday's 101-page ruling by U.S. District Judge Victor Marrero marks the first time that a 2002 anti-terrorism statute was applied to allow the terrorism victims to recover damages from blocked assets of a designated terrorist state. And it marks only the second time that families who sued the Cuban government for wrongful death claims could collect from the country's frozen U.S. bank accounts.

Lawyers for the two families rejoiced over the judge's decision.

"It's been a long uphill fight for the Anderson family whose father was brutally murdered by Castro," said Miami attorney Al Cardenas, who represented the Andersons along with partner Joe DeMaria.

An attorney for Weininger said there can be no appeal under the federal court ruling and that the money must be turned over within five days. "This is a case of one woman's courage to honor her father," Coral Gables attorney Joseph Zumpano said. "There are a lot of cases that divide our community. This is a case that unites us."

Janet Weininger was at her Palmetto Bay home when she learned the news. En route to a planned news conference in Coral Gables, she called former Cuban and American pilots who had flown with her father to share the news.

Pete Ray, an Alabama National Guard pilot, was flying for the CIA in the April 19, 1961, Bay of Pigs invasion when his plane was heavily damaged. He survived, she said, after his plane went down near Fidel Castro's headquarters but was injured in a gun battle.

When her father was being treated by Cuban doctors for his wounds, the army carried out the orders of the Castro brothers and killed him with a single shot to his right temple, according to court evidence.

When she buried her father in Alabama, the mother of two placed a letter in his coffin that said: "I want you to know if you had to do it all again, I would tell you to do it just the same. You taught me the meaning of freedom."

Weininger was able to pierce the Cuban government's sovereign immunity under a 1996 law that allows victims of designated terrorist states to sue for damages.

The Anderson family, which had lived in Cuba during the Castro revolution, used the same law to make their claim. In that case, the U.S. businessman was shot by a Cuban government firing squad on April 19, 1961, after he was found guilty of conspiring to smuggle arms into Cuba.

The \$67 million judgment was originally awarded to Anderson's widow, Dorothy, of Pompano Beach, who died in October, and to their four children. "The money is a great thing, but this is a final justice that she did not see," said Bonnie Anderson, a former Miami Herald staff writer and network TV news reporter, who now lives in Puerto Rico.