

December 10, 1973

The Honorable Spark Matsumaga
Room 442
Cannon Office Building
Washington, D. C. 20515

Dear Congressman Matsumaga:

In August of 1972, my client, Lawrence Fumio Miwa, discussed with you the introduction of a private bill to secure the return to him of the amount derived by the Office of Alien Property from the sale of the vested property of his father, the late Seigo Miwa. You will probably remember the Miwa stores in pre-World War II Hawaii. As attorney for Mr. Lawrence Fumio Miwa, Seigo Miwa's son, I was subsequently asked to submit a memorandum to you concerning the background facts of this case.

The delay in submitting this memorandum has been occasioned by the fact that I could not locate the several voluminous files and records of my briefs and correspondence through the 1950's in connection with my handling of Larry Miwa's claim in various proceedings before the Office of Alien Property of the Department of Justice. As indicated in the enclosure, I secured a copy of the 8 April "Recommended Decision of William C. Levy, Hearing Examiner," which was adopted by the decision of Deputy Director, dated August 21, 1958. The fact that all of the information in the enclosed memorandum is derived from the "Recommended Decision" should make it the stronger. The only exception is the last paragraph which brings the facts up to date.

As may be inferred from a close reading of the "Recommended Decision," the disallowal of the claim of Lawrence Fumio Miwa was based upon narrow technical grounds. In my opinion, having guided the matter to the exhaustion of the administrative remedies before the Office of Alien Property Unit of the Civil Division of the Department of Justice, I concluded that the decision was a close one; you will note that both the Government and I cited the same case, Matter of Ludwig Gross. However, Larry Miwa, who was supporting himself as a student during that period, did not have the resources to take the matter to court.

Your office suggested that my memorandum be brief. If you wish, I can expand upon the enclosed information, inasmuch as the Chief of the Alien Property Unit of the Civil Division of the Department of Justice has kindly consented to make available for my perusal any appropriate portion of the full file that is in his custody.

On behalf of my client, Lawrence F. Miwa, who is presently in the banking business in Hawaii, I appreciate your interest, and would welcome an opportunity to cooperate with your staff in further pursuing this matter.

Sincerely,

Oliver Ellis Stone

OES/ldg

Copy to Lawrence F. Miwa