UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Civil Action No.: 19-cv-21725-King

JAVIER GARCIA-BENGOCHEA,

Plaintiff,

v.

CARNIVAL CORPORATION d/b/a
Carnival Cruise Line, a foreign corporation,

Defendant.
_____/

DECLARATION OF COREY P. GRAY IN SUPPORT OF CARNIVAL CORPORATION'S MOTION FOR JUDGMENT ON THE PLEADINGS

JONES WALKER LLP
George J. Fowler, III
(*Pro Hac Vice*)
Luis Llamas
(Florida Bar No. 89822)
201 St. Charles Ave.
New Orleans, LA 70170
Telephone: (504) 582-8752
gfowler@joneswalker.com
llamas@joneswalker.com

BOIES SCHILLER FLEXNER LLP
Stuart H. Singer
(Florida Bar No. 377325)
Evan Ezray
(Florida Bar No. 1008228)
401 East Las Olas Boulevard,
Suite 1200
Fort Lauderdale, Florida 33301
Telephone: (954) 356-0011
ssinger@bsfllp.com
eezray@bsfllp.com

I, Corey P. Gray, declare:

1. I am Counsel for Carnival Corporation and am an attorney at the law firm of Boies Schiller Flexner LLP and am duly licensed to practice law in Florida and before this Honorable Court.

2. I respectfully submit this declaration in support of Carnival Corporation's Motion for Judgment on the Pleadings in this action and have personal knowledge of the matters set forth herein.

3. Attached hereto as Exhibit A to this declaration is a true and correct copy of the June 16, 1972, probate petition of the July 5, 1966, will of Albert Parreno, which my firm obtained from publicly available records in New York.

4. Attached here to as Exhibit B to this declaration is a true and correct copy of Plaintiff's Rule 26(a)(1) Initial Disclosures in this case.

I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.

Dated November 15, 2019

By: /s/ *Corey P. Gray*

Corey P. Gray, Esq.
(Florida Bar No. 0115473)
BOIES SCHILLER FLEXNER LLP
401 East Las Olas Boulevard,
Suite 1200
Fort Lauderdale, Florida 33301
Telephone: (954) 356-0011
cgray@bsfllp.com

Exhibit A

Form UF-B-O Revised 12077-71 (C.S.) 94

State of New York
Surrogate's Court: County of New York

Probate Proceeding, Will of ALBERT J. PARRENO, **Deceased.**	**Probate Petition** File No. 37

To the Surrogate's Court, County of :

It is respectfully alleged:

(1) The name(s), domicile(s) (or, in the case of a bank or trust company, its principal office) and interest(s) in this proceeding of the petitioner(s) are as follows:

Name: Mrs. Frederica Parreno

Domicile or Principal Office: 350 East 57th Street (Street and Number)
New York (City, Village or Town) New York (State)

Name:

Domicile or Principal Office: (Street and Number)
(City, Village or Town) (State)

Interest(s) of Petitioner(s): (*Check one*)
[X] Executor(s) named in decedent's Last Will presented herewith
[ ] Other (Specify)

(2) The name, domicile, date and place of death, and national citizenship of the above-named deceased are as follows:

(a) Name: Albert J. Parreno
(b) Date of death June 11, 1972
(c) Place of death Westerly Hospital, Westerly, Rhode Island
(d) Domicile Street 350 East 57th. Street, New York, New York
City, Town, Village [redacted] New York
County [redacted] New York
State [redacted] New York
(e) Citizen: (Subject) of [redacted] U.S.A.

(3) The Last Will, herewith presented, relates to both real and personal property and consists of an instrument or instruments dated as shown below and signed at the end thereof by the decedent and the following subscribing witnesses:

July 5, 1966 David R. Lindskog, Edward E. Kable, Alfred S. Goldfield
(Date of Will) (Witnesses to Will)

(Date of Codicil) (Witnesses to Codicil)

(4) There is no other will or codicil of the decedent on file in the office of the court, and upon information and belief, there exists no will, codicil or other testamentary instrument of the decedent later in date to any of the instruments mentioned in paragraph (3) hereof, ~~except~~.

(5) The decedent left surviving:
(a) [1] Spouse (~~husband~~/wife).
(b) [No] Child or children; or descendants of predeceased child or children.
(c) [No] Father/mother.
(d) [X] Brothers or sisters, either of the whole or half-blood; or descendants of such predeceased brothers or sisters.
(e) [X] Grandfather/grandmother.
(f) [X] Uncles or aunts.
(g) [X] Descendants of predeceased uncles or aunts.

(Information is required only as to those classes of surviving relatives who would take the property of decedent if there were no will. The term "child or children" includes adopted as well as natural children. State number of survivors in each such class. Insert "X" in all subsequent classes. Insert "NO" in all prior classes.)

(6) The names, relationships and addresses of all distributees, of each person designated in the Last Will herewith presented as primary executor, of all persons adversely affected by the purported exercise by such Will of any power of appointment, of all persons adversely affected by any codicil and of all persons having an interest under any prior will of the decedent on file in the Surrogate's office, are hereinafter set forth in subdivisions (a) and (b):

(a) All persons and parties so interested who are of full age and sound mind, or which are corporations or associations, are as follows:

Name and Address	Relationship	Description of Legacy, Devise or Other Interest, or Nature of Fiduciary Status
Frederica Parreno 350 E. 57th Street New York, N. Y. 10022	Wife	Beneficiary of residuary estate; executor

(b) All persons so interested who are persons under disability, are as follows:

(Please furnish all information specified in NOTE below.)

None

(Note: In the case of each infant, state (a) name, birth date, age, relationship to decedent, residence address, and the person with whom he resides; (b) whether or not he has a general or testamentary guardian, and whether or not his father, or if dead, his mother, is living; and (c) the name and residence address of any guardian and any living parent. In the case of each other person under disability state (a) name, relationship to decedent, and residence address; (b) facts regarding his disability, including whether or not a committee has been appointed and whether or not he has been committed to any institution; and (c) the names and addresses of any committee, any person or institution having care and custody of him, and any relative or friend having an interest in his welfare. In the case of person confined as a prisoner, state place of incarceration. In the case of unknowns, describe such persons in the same language as will be used in the process. In each case give a brief description of the party legacy, devise or other interest as in paragraph (6) (a) hereof.)

(7) The names and domiciliary addresses of all substitute or successor executors and of all trustees, guardians, legatees and devisees, and other beneficiaries named in the Last Will herewith presented, other than those named in Paragraph (6) are hereinafter set forth in subdivisions (a) and (b):

(a) All such other legatees and devisees who are of full age and sound mind, or which are corporations or associations, are as follows:

Name	Address	Description of Legacy, Devise or Other Interest or Nature of Fiduciary Status
Miner D. Crary, Jr.	P.O.Box 359 Northport, N.Y. 11768	Alternate executor
First National City Bank	55 Wall Street New York, N. Y. 10005	" "
Desiderio Parreno	General Martinez Campos #3 Madrid 10, Spain	$10,000; Cuban property
Princeton University	Princeton, N. J.	Items from rare book collection
John Carter Brown Library, Brown University	Providence, R. I.	Items from rare book collection

(b) All such other legatees, devisees and other beneficiaries who are persons under disability, are as follows: None

(Please furnish all information specified in NOTE to paragraph (6) (b) hereof.)

(8) There are no persons, corporations or associations, interested in this proceeding other than those hereinabove mentioned.

(9) To the best of the knowledge of the undersigned, the approximate total value of all property constituting the decedent's gross testamentary estate is more than $ 250,000 and less than $ 500,000

(10) Upon information and belief, no other petition for the probate of any will of the decedent or for the granting of letters of administration on the decedent's estate has heretofore been filed in any Court.

WHEREFORE your petitioner(s) pray(s) (a) that process be issued to all necessary parties to show cause why the Last Will herewith presented should not be admitted to probate; (b) that an order be granted directing the service of process pursuant to the provisions of article 3 of the SCPA, upon the persons named in paragraph (6) hereof who are non-domiciliaries, or whose names or whereabouts are unknown and cannot be ascertained; and (c) that such Last Will be admitted to probate as a will of real and personal property and that letters issue thereon as follows:

(Check and complete appropriate request.)

☒ Letters Testamentary to Frederica Parreno

☐ Letters of Trusteeship to .....

Dated: June 16, 1972

Frederica Parreño
(Petitioner)

.....
(Petitioner)

STATE OF NEW YORK
County of NEW YORK } ss.:

COMBINED VERIFICATION, OATH AND DESIGNATION

(For use when a petitioner to be appointed executor is not a bank or trust company)

I, the undersigned Frederica Parreno
being duly sworn, say:

(1) VERIFICATION: I have read the foregoing petition subscribed by me and know the contents thereof, and the same is true of my own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe it to be true.

(2) OATH OF EXECUTOR: I am over twenty-one (21) years of age and a citizen of the United States; I am not ineligible to receive letters; I am the executor(trix) named in the Last Will described in the foregoing petition and will well, faithfully and honestly discharge the duties of such executor(trix), and I shall duly account for all moneys or other property which may come into my hands.

(3) DESIGNATION OF CLERK FOR SERVICES OF PROCESS: I do hereby irrevocably designate the Clerk of the Surrogate's Court of New York County, and his or her successors in office, as a person on whom service of any process issuing from such Surrogate's Court may be made, in like manner and with like effect as if it were served personally upon me whenever I cannot be found and served within the State of New York after due diligence used.

My domicile is 350 East 57th Street, New York, N. Y. 10022

Frederica Parreño
(Signature of Petitioner)

On June 16, 1972, before me personally came Frederica Parreno
..... to me known to be the person described in and who executed the foregoing instrument. Such person duly swore to such instrument before me and duly acknowledged that she executed the same.

Miner D. Crary
(Notary Public)

MINER D. CRARY, JR.
Notary Public, State of New York
No. 52-9051750
Qualified in Suffolk County
Term Expires March 30, 1973

No. 7

N-19-72 621069 A 3710 72 —FILPRO 75.00

STATE OF NEW YORK
County of } ss.:

COMBINED VERIFICATION, CONSENT AND DESIGNATION

(For use when a petitioner to be appointed executor is a bank or trust company)

I, the undersigned, ... of
(Title)
.....
(Name of Bank or Trust Company)
being duly sworn, say:

(1) VERIFICATION: I have read the foregoing petition subscribed by me and know the contents thereof, and the same is true of my own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe it to be true.

(2) CONSENT: ....., a corporation/national banking association under the laws of ..... hereby accepts its appointment as executor of the Last Will described in the foregoing petition and consents to act as such executor.

(3) DESIGNATION: ....., a corporation/national banking association under the laws of ....., having an office at ..... hereby designates the Clerk of the Surrogate's Court of ..... County, and his or her successor in office, as a person on whom service of any process issuing from such Surrogate's Court may be made, in like manner and with like effect as if it were served personally upon such corporation/national banking association, whenever one of its proper officers cannot be found and served within the State of New York, after due diligence used.

.....
(Signature and Title)
.....
(Name of Bank or Trust Company)
.....
(Signature and Title)

ATTEST: JUN 19 1972 SURROGATE'S COURT NEW YORK COUNTY
(Signature and Title)

Recorded Liber 2864 Page 543 By EXAMINED

3710

On ....., 19....., before me personally came .....
....., to me known, who duly swore to the foregoing instrument and who did say that he resides at .....
and that he is a ..... of .....
the corporation/national banking association described in and which executed such instrument; that he knows the seal of such .....;
that the seal affixed to such instrument is such seal and was so affixed by order of the Board of Directors of such ..... and that he signed his name thereto by like authority.

.....
(Notary Public)

ATTORNEY

Name of Attorney Curtis,Mallet-Prevost,Colt & Mosle Tel. No. 248-8111
Address of Attorney 100 Wall Street, New York, N. Y. 10005

File No. 3710 72
Date of Death 11 June 19 72
Will filed ..... day of June 19 72
Pet. filed 19 ..... day of June 19 72
Cit. returnable ..... day of 19
Sup. cit. returnable ..... day of 19
Amd. Pt. filed ..... day of 19

Value of testamentary estate $ 50,000.00
Amount of filing fee $ 75
Petition accepted by ..... Clerk

DECREE ADMITTED JUN 27 1972
LETTERS TEST.
Liber 603
Page 92-28

LETTERS OF TRUSTEESHIP
Liber .....
Page .....

Exhibit B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

Case No.: 1:19-cv-21725-JLK

JAVIER GARCIA-BENGOCHEA,

Plaintiff,

vs.

CARNIVAL CORPORATION d/b/a/
CARNIVAL CRUISE LINES,

Defendant.

_____/

PLAINTIFF'S RULE 26(a)(1) INITIAL DISCLOSURES

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Plaintiff Javier Garcia-Bengochea ("Plaintiff") hereby serves the following initial disclosures.

Rule 26(a)(1) Disclosures

A. (i)

1. Javier Garcia-Bengochea
   c/o Colson Hicks Eidson
   (knowledge of Plaintiff's claim)

Plaintiff reserves the right to provide supplemental information as it becomes available.

(ii)

1. Certified claim by Foreign Claims Settlement Commission.

2. Gaceta Oficial.

3. Inventory of Assets of Maria Velasquez y Portuondo.

4. Last Will and Testament of Alberto J. Parreno.

5. Last Will and Testament of Desiderio Parreno Velasquez.

Plaintiff's counsel is in possession of the above-referenced documents. Plaintiff reserves the right to provide supplemental information as it becomes available.

(iii)

Plaintiff's damages will be calculated in accordance with 22 U.S.C. § 6082.

(iv)

Unknown to Plaintiff.

Colson Hicks Eidson
255 Alhambra Circle, Penthouse, Coral Gables, Florida 33134-5008 Telephone: (305) 476-7400 Fax: (305) 476-7444

DATED: October 10, 2019.

Respectfully submitted,

COLSON HICKS EIDSON, P.A.
255 Alhambra Circle, Penthouse
Coral Gables, Florida 33134
Telephone: (305) 476-7400
Facsimile: (305) 476-7444
E-mail: eservice@colson.com

By: s/ Roberto Martínez
Roberto Martínez, Esquire
Florida Bar No. 305596
bob@colson.com
Stephanie A. Casey, Esquire
Florida Bar No. 97483
scasey@colson.com
Zachary Lipshultz, Esquire
Florida Bar No. 123594
zach@colson.com
Aziza F. Elayan-Martínez, Esquire
Florida Bar No. 92736
aziza@colson.com

- and -

MARGOL & MARGOL, P.A.
2029 3rd Street North
Jacksonville Beach, Florida 32250
Telephone: (904) 355-7508
Facsimile: (904) 619-8741

Rodney S. Margol, Esquire
Florida Bar No. 225428
Rodney@margolandmargol.com

Attorneys for Plaintiff Javier Garcia-Bengochea

Certificate of Electronic Service List

I HEREBY CERTIFY that, on October 10, 2019, I served the foregoing document via electronic mail on the following counsel for the Defendant:

Stuart H. Singer, Esq.
Evan Ezray, Esq.
BOIES SCHILLER &FLEXNER
401 E. Las Olas Blvd., Suite 1200
Ft. Lauderdale, FL 33301
Telephone: (954) 356-0011
Fax: (954) 356-0022
E-mail: ssinger@bsfllp.com
E-mail: eezray@bsfllp.com

George J. Fowler, III, Esq.
(*Pro Hac Vice*)
JONES WALKER, LLP
201 St. Charles Ave.
New Orleans, LA 70170
Telephone: (504) 523-2600
Fax: (504) 523-2705
E-mail: gfowler@joneswalker.com

Luis E. Llamas. Esq.
JONES WALKER, LLP
201 S. Biscayne Blvd., Suite 2600
Miami, FL 33131
Telephone: (305) 679-5700
E-mail: llamas@joneswalker.com

Attorneys for Carnival Corporation

By: s/ Roberto Martínez
Roberto Martínez