Rev. 4/18

UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

CIVIL APPEAL STATEMENT

Please TYPE. Attach additional pages if necessary.

11th Circuit Docket Number: 20-12960

Caption:

JAVIER GARCIA-BENGOCHEA,
Plaintiff/Appellant,
v.
CARNIVAL CORPORATION, a foreign corporation d/b/a CARNIVAL CRUISE LINE,
Defendant/Appellee.

District and Division: U.S. District Court Southern District of Florida (Miami Division)
Name of Judge: Magistrate Judge Jacqueline Becerra
Nature of Suit: 890 Other Statutory Actions

Date Complaint Filed: 5/2/2019
District Court Docket Number: 1:19-cv-21725-JLK

Date Notice of Appeal Filed: 8/6/2020
☐ Cross Appeal ☐ Class Action

Has this matter previously been before this court?
☐ Yes ☑ No
If Yes, provide
(a) Caption: _____
(b) Citation: _____
(c) Docket Number: _____

	Attorney Name	Mailing Address	Telephone, Fax, Email
For Appellant: ☑ Plaintiff ☐ Defendant ☐ Other (Specify)	See attached.		
For Appellee: ☐ Plaintiff ☑ Defendant ☐ Other (Specify)	See attached.		

Please CIRCLE/CHECK/COMPLETE the items below and on page 2 that apply.

Jurisdiction	Nature of Judgment	Type of Order	Relief
☑ Federal Question	☑ Final Judgment, 28 USC 1291	☐ Dismissal/Jurisdiction	Amount Sought by Plaintiff: $ $12 million
☐ Diversity	☐ Interlocutory Order, 28 USC 1292(a)(1)	☐ Default Judgment	Amount Sought by Defendant: $_____
☐ US Plaintiff	☐ Interlocutory Order Certified, 28 USC 1292(b)	☑ Summary Judgment	Awarded: $_____ to _____
☐ US Defendant	☐ Interlocutory Order, Qualified Immunity	☐ Judgment/Bench Trial	Injunctions:
	☐ Final Agency Action (Review)	☐ Judgment/Jury Verdict	☐ TRO
	☐ 54(b)	☐ Judgment/Directed Verdict/NOV	☐ Preliminary ☐ Granted
		☐ Injunction	☐ Permanent ☐ Denied
		☐ Other _____	

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Based on your present knowledge:

(1) Does this appeal involve a question of First Impression? ☑ Yes ☐ No
What is the issue you claim is one of First Impression? See answer to question 5.

(2) Will the determination of this appeal turn on the interpretation or application of a particular case or statute? ☑ Yes ☐ No

If Yes, provide
(a) Case Name/Statute
(b) Citation The Helms-Burton Act, 22 U.S.C. § 6082(a)(1)(A).
(c) Docket Number if unreported

(3) Is there any case now pending or about to be brought before this court or any other court or administrative agency that
(a) Arises from substantially the same case or controversy as this appeal? ☐ Yes ☑ No
(b) Involves an issue that is substantially the same, similar, or related to an issue in this appeal? ☑ Yes ☐ No

If Yes, provide
(a) Case Name (1) Gonzalez v. Amazon.com, Inc. et al (2) Mario Del Valle v. Expedia Group, Inc., et al
(b) Citation
(c) Docket Number if unreported (1) 20-12113 (2) 20-12407
(d) Court or Agency (1) United States Court of Appeals for the Eleventh Circuit (2) United States Court of Appeals for the Eleventh Circuit

(4) Will this appeal involve a conflict of law
(a) Within the Eleventh Circuit? ☐ Yes ☑ No
(b) Among circuits? ☐ Yes ☑ No

If Yes, explain briefly:

(5) Issues proposed to be raised on appeal, including jurisdictional challenges:

Whether the Helms-Burton Act provides no remedy to U.S. nationals who, after March 12, 1996, inherited property confiscated by the Castro regime before March 12, 1996?

Other issues counsel chooses when preparing the principal brief.

I CERTIFY THAT I SERVED THIS CIVIL APPEAL STATEMENT ON THE CLERK OF THE U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT AND SERVED A COPY ON EACH PARTY OR THEIR COUNSEL OF RECORD, THIS 18th DAY OF August, 2020.

Bryan S. Gowdy
NAME OF COUNSEL (Print)

/s/ Bryan S. Gowdy
SIGNATURE OF COUNSEL

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