

Children of Castro foe who died in Cuban jail awarded millions The Associated Press State & Local Wire April 5, 2008 Saturday 3:37 PM GMT

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HEADLINE: Children of Castro foe who died in Cuban jail awarded millions

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BODY:

A jury awarded nearly \$253 million to the children of one of Fidel Castro's former friends who died in jail a judgment that was seen more as a political statement against the Cuban government than as a financial windfall.

The son and daughter of Rafael del Pino Siero sued the Cuban government in 2005 for jailing and allegedly torturing and killing their father, who was a U.S. citizen.

After a trial, the Miami jury rendered a judgment Friday that turned out to be more than the family was seeking.

It also appears to be the largest award to date in a wrongful death claim filed against the Cuban government in Miami. Cuba's government was served with court papers but chose not to be represented in court.

Del Pino's children, Rafael del Pino Jr. and Milagros Suarez, expressed amazement at the verdict.

"I was flabbergasted," Del Pino Jr. said, moments after the verdict was announced. "I kept thinking why did they give us so much more?"

The verdict is significantly more than the \$187 million a federal judge awarded to the survivors of three victims in the 1996 shutdown of two Brothers to the Rescue small planes by a Cuban MiG.

Those family members collected about half the judgment from Cuban assets frozen in New York, an option that probably won't be available to Del Pino's children. The assets are dwindling, and their father's death came five years before the United States designated Cuba as a state-sponsor of terrorism.

One juror said the verdict was a political statement.

"Basically, all of us decided that we all wanted to send a message to the world that countries don't mess around with U.S. citizens," said Thomas Crews, one of six jurors.

Del Pino was among Castro's friends at the University of Havana, but the family said the two had a falling out. Del Pino flew back to the island in July 1959 on a rescue mission but was captured and sentenced to 30 years in a Cuban prison.

He died in captivity in 1977. The Cuban government said he hanged himself.

The lawsuit filed by his children in Miami-Dade Circuit Court alleged that the Cuban government "intentionally, unlawfully, and

with complete disregard for human life, tortured and killed Rafael del Pino by hanging him."

Del Pino bears no relation to former Cuban Gen. Rafael del Pino, who defected in 1987.

The late Del Pino provided one of the trial's most emotional moments, when Jorge Borrón, an attorney for his children, read a letter the ailing man wrote in prison in 1969.

He promised to buy his daughter "many presents," including a piano she had wanted since she was a little girl.

Borrón stopped several times and sobbed as he read the letter, which ended, "Kiss, kiss, kiss, from your dad who blesses you."

Borrón concluded the trial by telling jurors, "Ladies and gentlemen, this is Rafael del Pino speaking from the grave."

Information from: The Miami Herald,
<http://www.herald.com>