

24-699 EXXON MOBIL CORP. V. CORPORACION CIMEX

DECISION BELOW: 111 F.4th 12

LOWER COURT CASE NUMBER: 21-7127, 22-7019, 22-7020

QUESTION PRESENTED:

In 1960, the Cuban government confiscated the property of American nationals and transferred it to state-owned enterprises. After years without a diplomatic resolution, Congress enacted the Helms-Burton Act, which created a damages action for American nationals against "any person ... that traffics in" such confiscated property. 22 U.S.C. § 6082(a)(1). The Act defines "person" to include "any agency or instrumentality of a foreign state," *id.* § 6023(11), and expressly contemplates "judgment[s] against an agency or instrumentality of the Cuban Government," *id.* § 6082(d). The question presented is:

Whether the Helms-Burton Act abrogates foreign sovereign immunity in cases against Cuban instrumentalities, or whether parties proceeding under that Act must also satisfy an exception under the Foreign Sovereign Immunities Act.

CERT. GRANTED 10/3/2025