

05-IF9-T-204

(b)(6)

CENTCOM 001455

05-IF9-T-0204-00001



DEPARTMENT OF THE ARMY
HEADQUARTERS, MULTINATIONAL DIVISION – CENTRAL SOUTH
US ARMY G-STAFF
AD DIWANIYAH, IRAQ
APO AE 09332

REF ID: A66417

To: _____ (b)(6)
From: Foreign Claims Commission IF9
Re: Claim number 05IF9T0204

Sir/Ma'am For: _____ (b)(6)

Foreign Claim Commission IF9 has reviewed and considered the claim you have made against the United States under the Foreign Claims Act, Title 10, United States Code, Section 2734, and U.S. Army Regulation 27-20. Claims under this act can only be paid under certain circumstances. A claim is payable only if the damage was the result of negligence on the part of U.S. military personnel or as a result of non-combat activities. Furthermore, claims are not payable if they are a direct or indirect result of combat action or are filed more than two years after the incident.

Unfortunately, your claim is not compensable under the U.S. Foreign Claims Act because it does not meet the criteria above. You have the right to have this decision reconsidered, but if you wish to have this done, you must include new evidence that shows either U.S. negligence or that your damages were caused by U.S. military personnel not as a result of combat activities. Any such request must be made within 30 days of your receipt of this letter. Failure to appeal within 30 days will render this decision final and conclusive as a matter of law pursuant to 10 USC Section 2735.

Foreign Claims Commission IF9
Camp Echo
Ad Diwaniyah, Iraq

(b)(6)

الى: _____
من: لجنة الشكاوى الاجنبية IF9

رقم الشكاوى: 05IF9T0204
سيدي/ سيدتي!
بد التحية...

تامت دراسة شكاوتكم ضد الولايات الأمريكية من قبل لجنة الشكاوى الأجنبية IF9 التي اخذت تلك الشكاوى تحت اعتبارها الدقيق وذلك وفقا لقانون الشكاوى الأجنبية، باب 10، قانون الولايات المتحدة، جزء 2734 و لوائح الجيش الأمريكي 27-20. يمكن دفع الشكاوى وفقا لهذا القانون وذلك تحت الظروف الخاصة. الشكاوى قابل للدفع لو كان الأضرار نتيجة إهمال من طرف الكادر العسكري للولايات المتحدة أو نتيجة لنشاطه اللاقتالية، علاوة على ذلك، لن يدفع الشكاوى لو كانت نتيجة نشاطات القتالية مباشرة كانت أو غير مباشرة كذلك عندما تم تكوينها بعد أكثر من سنتين من حين الحادث.

يوسفنا بأنه شكاوتكم ليست قابلة للتعرض وفقا لقانون الشكاوى الأجنبية للولايات المتحدة، بسبب لأنه لا يرضى المعايير أعلاه. لديكم الحق لإستئناف ذلك القرار، ولكنه اذا رغبتم في ذلك، لا بد من ترويض جهتنا بأدلة الجديدة التي تشير إلى إما الإهمال إما كانت الأضرار نتيجة لنشاطات الكادر العسكري للولايات المتحدة اللاقتالية. يقدم أي استئناف خلال 30 يوما من استلام هذه الكتاب من طرفكم. تخلف عن الإستئناف خلال 30 يوم يستخرج هذا القرار نهائي وساري مفعول وفقا لباب 10 من قانون الولايات المتحدة، جزء 2734

لجنة الشكاوى الأجنبية IF9
معسكر ايكو
الديوانية - العراق

CENTCOM 001456

05-IF9-T-0204-00002

- Original
- Do not use

Dead-

(b)(6)

To: United S
From: Name:
Address:

(b)(6)

I am

- a. A citizen and national of: Iraq
- b. A permanent resident of: Al-Diwaniya
- c. Employed by: _____
- d. Check one () An insurer () Not an insurer
- e. Check one () A subrogee () Not a subrogee

I hereby make a claim against the United States Government for damages or injuries caused by:
(Name, Organization, Military Department, Address, Telephone Number)

US CONVOY

The property damaged is owned by: (If the claim is made as an agent, parent, or guardian, attach a power of attorney or other evidence of authority and fill in the form below for party sustaining the damage or injuries.)

My claim arose at: Baghdad
(Town) (City) (Country)

My claim arose on: 9 20 2006
Month Day Year

Give a brief statement of the accident or incident on which the claim for damages to property or for personal injury is based. (Use back of this sheet if necessary.)

see reports

shot by US Convoy on way to Baghdad

**no spot report
denied
3.7.06**

Describe nature and extent of property damage or personal injury sustained as a result of the above incident.

List in detail the amount of property damage and itemized expenses resulting from the property damage or personal injury: (Attach bills and receipts, if applicable.)

<u>Item</u>	<u>Amount</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Total: unspecified

I was insured to the following extent against the damage or injuries I have sustained:

The name and address of my insurer (if any) is:

(Name)	(Address)
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I claim as damages: (Indicate amount in U.S. dollars and local currency)

\$	_____	local	_____
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(b)(3)(b)(6) _____

Subscribed before me this 22 day of Nov, 2005.

(b)(3)(b)(6) _____

(Signature) _____

Brief of the late's life

His name is (b)(6)

When he was going to Baghdad to made his duty from his office , the car he was ride subjected to fire shot from American Forces in the way , when the take the Iraqi driver to stop the car and take a side , he refuses that and the bullets take the head of the dead aim to it . He goes as victim without doing anything , just because he was ride with that driver .

He was happy and honor with his friend in his (b)(6) whereas he was (b)(6) . He was a sample for good relation with his family , relatives , and all whom they know him and dealing with him

His family , we think that there is no one who has the same feelings them . He forbids him self from many things to take them in good condition and to bring any things want .

(b)(6)

The life of this family subjected to breakdown , because the late of their father , they need for everything , but they are unable , because they didn't have money , grandfather , grandmother , uncles , if they gave one time , they didn't able to gave other once , they didn't have every one have and everything , but God who is the assist one for every one , we need your view upon this family

(b)(6)

Late's wife

CENTCOM 001459

05-IF9-T-0204-00005

Ministry of Higher Education
and Scientific Research

(b)(6)

Date : 13th of Nov.2005

To / compensation committee

Sub. Support

According to the request of the late's family (b)(6) we support to you
that he was one of grandfather of our college to evening studies 2004-205

With respectfully

Signatory

(b)(6)

Assist of dean

CENTCOM 001460

05-IF9-T-0204-00006

Date 25th of Nov. 2005

Administrator Order

We permit to

(b)(6)

the

(b)(6)

to go at Baghdad

(b)(6)

Signatory

(b)(6)

CENTCOM 001461

05-IF9-T-0204-00007

Investigation office
Al-Sa'adoon Police Station
31th Oct. 205

Information of the claimer with special right : (b)(6)
, her birth (b)(6) , housewife she lives in Diwaniyah , (b)(6) , She said :

On 26th of Sep. 2005 my husband (b)(6) was killed by Shooting fire of American Army where he was sitting in KIA in Tahreer Qu. In Baghada when he was going to do his duty . I have (b)(6) children from my husband and I ask the compensation from official side and this is my saying .

Signature
Investigator (b)(6)

signature (b)(6)

CENTCOM 001462

05-IF9-T-0204-00008

Al-Sa`adoon Police center
28th of Sep. 205

saying of the injured (b)(6) , His birth (b)(6) his work is driver , he said
the following :

At the morning of accident day , I was drove my car which its number (b)(6) / Baghdad , kind Kia (b)(6) , I was going out from AL-Alawi garage and when we arrive Al-Jumhoryah bridge to inter Al-Sa`adoon St. the American truck came from the second side which is separated from our side and they shooting fire upon us the riders and my breast and I subjected to five bullets and also one of riders injured by many bullets and as a result for these bullets he died also a lady injured , she was in a car and also the car subjected to many beats . so, I would like to ask taking law procedures and compensation and this my saying .

Signature
Investigator

signature
injured

CENTCOM 001463

05-IF9-T-0204-00009

Al-sa'adoon police station
26th Sep. 2005

To / Al-Rissafa invitation judge

Report of accident

- At the morning of this day , we have been informed that there was a car kind Kia , subjected to fire shooting by American Forces and the accident led to death a person called (b)(6) and injured both (b)(6) and his father (b)(6) when they were riding this car , in quarter of Bab Al-Sharaqi in Baghdad .
- We send the paper of the dead to hospital .
- We wrote down the sayings of the injured people .
- We couldn't wrote witness the injured (b)(6) because his bad condition .
- We caught the car which subjected to accident
- We submit to you the investigation papers for being informed

Officer

- 1- Attach herewith the result of legal medicine
- 2- Diagram and survey for accident site have been done
- 3- Present the injured people before investigation judge
- 4- Wrote down saying of injured Ahamd Abdelsada
- 5- Present person in legal right .

Signature
Capt. (b)(6)
Investigator

signature
judge
(b)(6)

CENTCOM 001464

05-IF9-T-0204-00010

Page 11 redacted for the following reason:

Foreign Language Text

Foreign Language Text

05-IF9-T-0204-00012

CENTCOM 001400

Pages 13 through 32 redacted for the following reasons:

Foreign Language Text
Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

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05-IF9-T-0204-00033

Pages 34 through 48 redacted for the following reasons:

Foreign Language Text, (b)(6)

(b)(6)

Date 13th of Nov. 2005

To / the committee of Compensation
Sub./ Support

We support to you that the late (b)(6) is (b)(6) and he was one of our (b)(6) staff, and according to request of their relatives we gave this support . with respectfully

Signatory

N

(b)(6)

ce

CENTCOM 001503

05-IF9-T-0204-00049