

06-IV6-T0013

CENTCOM 002875

06-IV6-T0013-00001



HEADQUARTERS
MULTI-NATIONAL CORPS – IRAQ
BAGHDAD, IRAQ
APO AE 09342

REPLY TO
ATTENTION OF:

FCC IV6

23 January 2006

CLAIM OF: (b)(6)
CLAIM NUMBER: 06-IV6-T0013

Dear Sir or Ma'am:

This notice constitutes final administrative action on your claim against the United States.

Foreign Claims Commission (FCC) IV6 has investigated and considered the claim under the Foreign Claims Act (FCA), Title 10, United States Code, Section 2734, as implemented by Army Regulation (AR) 27-20, Chapter 10. The claim is cognizable solely under the FCA as it concerns an inhabitant of Iraq. The Federal Tort Claims Act, Title 28, United States Code, Section 2680(k), is not applicable as it excludes claims arising in foreign countries. Under the FCA, a claim for death or personal injury may be allowed whether or not the negligent act complained of was made within the scope of employment.

FCC IV6 offers you \$7000 to settle your claim. To accept this settlement offer, please sign and return the enclosed forms and an appointment will be made to meet you and to issue payment.

If you are dissatisfied by this action, AR 27-20 provides that you may request that the decision be reconsidered. Any such request must be forwarded to this office for FCC consideration. There is no prescribed format for such a request. However, it should describe the legal and/or factual basis for relief. Any request for reconsideration must be made, in writing, within 30 days of receipt of this letter.

The FCC's action on reconsideration is final and conclusive by law.

Sincerely,

(b)(3),(b)(6)

CPT, U.S. Army
FCC IV6

CENTCOM 002877

06-IV6-T0013-00003



HEADQUARTERS
MULTI-NATIONAL CORPS – IRAQ
BAGHDAD, IRAQ
APO AE 09342

REPLY TO
ATTENTION OF:

FICI-JA

Claim of (b)(6) 06-IV6-T0013

ACTION

1. Facts: The claimant alleges that on 1 September 2005, his brother was driving a black (b)(6) sedan on Tikrit highway when U.S. Forces shot their vehicle killing his brother and injuring the claimant.. The amount requested is \$8000 for the claim.
2. Opinion: The FCA permits compensation for damages caused by the negligent and wrongful acts of US forces. Upon review of the claim, payment is granted.
3. Authority: The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.
4. Action: The claim will be paid in the amount of \$7000.

(b)(3),(b)(6)

CPT, U.S. Army
FCC IV6

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CENTCOM 002878

06-IV6-T0013-00004

UNITED STATES ARMED FORCES CLAIMS FORM

I. TO: United States Army Foreign Claims Commission Today's Date: _____

II. FROM: Name (English): _____
Name (Arabic): _____ (b)(6), Foreign Language Text _____

(a) Circle one: Claimant / Attorney/ Authorized representative/ Parent/ Brother/Sister/ Son/Daughter
→ [Attorney or representative MUST attach proof of authorization.] Other: _____

(b) IRAQI IDENTIFICATION NUMBER: _____ (b)(6) _____

(c) DETAINEE IDENTIFICATION NUMBER: _____

III. ADDRESS of person filing claim:

(English): _____ Foreign Language, (b)(6) _____

(Arabic): _____

IV. HOME OR CELL PHONE NUMBER: _____ (b)(6) _____

(a) I, the above named claimant/attorney/representative, certify that I (or the person on whose behalf I am making this claim) am a resident of Iraq

(b) I hereby make a claim against the UNITED STATES GOVERNMENT for damages or injuries caused by the following military unit: /

(c) The property damaged is owned by: his dead brother (b)(6)

(d) The incident happened on Sep. 1st 2005 at Salah aldiem
(Date) (city/town/neighborhood/highway name & number)

V. The facts of the incident are as follows: As he said, his brother (b)(6)
was driving his Prince, black 1993 Car on Tikrit
highway when a U.S. patrol contains 2 humvees and
a Tank coming from the opposit side they shooting
him immediately he died and Mr. (b)(6) injured
the car turned over. The Iraqi police took them to
the hospital and gave them the claim card from
the Soldiers whom shooting them.

[Use back of sheet if needed. Be sure to include any photographs, statements from witnesses, documents proving ownership of damaged or destroyed property, death certificates, medical bills and repair estimates.]



HEADQUARTERS
MULTI-NATIONAL CORPS - IRAQ
BAGHDAD, IRAQ
APO AE 09342
IG1

REPLY TO
ATTENTION OF:

(ECC-IG1)

Foreign Language

Foreign Language

موضوع: مطلب من /

رقم المطلب / 06-IV6-10013

Name:

Claim #:.....

السيد العزيز,

بعد التحية

هذا اشعار لتسريع قرار ادارى نهائى للمطلب من طرفكم ضد الولايات المتحدة.

لجنة المطالبات للاجانب (اف سى سى) \ اى بي 5, قامت بالتحقيق و دراسة المطلب من طرفكم تحت قانون المطالبات الاجنبية (اف سى اية) فصل - 10 من شيفرة الولايات المتحدة , قسم 2734. كأداء من قواعد تنسيق الجيش الأمريكى (اية ار) (اية ار) 27-20 , فصل 10. المطلب يخضع تحت (اف سى اية) لشنون المقيمين فى العراق. القانون الفيدرالى المبنى للمطالب فصل - 28 من شيفرة الولايات المتحدة, قسم 2680 (ك) , لا ينطبق عليه لأنه يمنع أى مطالب فى دول اجنبية تحت (اف سى اية) بسبب الوفاة او ضرر شخصى حدث بالتهاون او الأهمال فى مجال العمل.

لجنة المطالبات للاجانب (اف سى سى) \ اى بي 5 ا فحست كل البيانات الخاصة بمطلبك و المستندات الخاصة بالمطلب و قامت بالتحقيق فى المطلب . و بأفضل المقاييس و التقديرات و بمراعاة المعلومات الموجودة فى المطلب و دراستها بدقة .

بناء عليه اللجنة قررت التالى:

لجنة المطالبات للاجانب (اف سى سى) اى بي 5 يعرض عليكم مبلغ دولار

امريكى فقط لاغير (\$) لتصفية حساب المطلب من طرفكم. لو وافقت على المبلغ العرض من فضلك وقع اسمك و رجع الأستمارة الخطاب الى المكتب لدينا . مقابلة سوف تحدد لك الأستلام المبلغ المقبول من طرفك

لو لم توافق او الأمر يثير الأستياء للقرار, تحت قواعد تنسيق الجيش الأمريكى (اية ار) 27-20. يمنحك الحق بالقيام بطلب التماس للنظر فى مطلبك مرة أخرى. فى حالة دراسة المطلب مرة أخرى من فضلك اعطنا اية معلومات جديدة و اضافية و اساسية و مادية لتدعم طلب اعادة النظر فى مطلبك مرة أخرى .

طلب الألتماس لا يوجد شكل محدد او معين لة, لكن أشرح فى الألتماس الأساس الشرعى و الواقعى للنظر فى طلب الألتماس مع المعلومات الإضافية و الأساسية و المادية للنظر فى الألتماس مرة أخرى .
أى طلب الألتماس المفروض تقديمه فى مدة أقصاها ثلاثون يوما (30) من استلام الخطاب.
تحت القانون القرار حاسم و نهائى من جانب لجنة المطالبات للاجانب.

مع الأحرارم و التقدير,

نقيب فى الجيش الأمريكى
(اف سى سى) اى بي 5

CENTCOM 002881

06-IV6-T0013-00007



HEADQUARTERS
MULTI-NATIONAL CORPS – IRAQ
BAGHDAD, IRAQ
APO AE 09342

REPLY TO
ATTENTION OF:

FICI-JA

Claim of [REDACTED] (b)(6) 06-IV6-T0013

ACTION

1. Facts: The claimant alleges that on 1 September 2005, his brother was driving a black 1993 sedan on Tikrit highway when U.S. Forces shot their vehicle killing his brother and injuring the claimant.. The amount requested is \$8000 for the claim.
2. Opinion: The FCA permits compensation for damages caused by the negligent and wrongful acts of US forces. Upon review of the claim, payment is granted.
3. Authority: The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.
4. Action: The claim will be paid in the amount of \$7000.

[REDACTED]
(b)(3),(b)(6)

CPT, U.S. Army
FCC IV6

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CENTCOM 002882

06-IV6-T0013-00008

FOREIGN CLAIMS WORKSHEET

Amount Claimed: \$ 8,000

Date Reviewed: 22 JAN 06

Date of Incident: 1 SEPT 05

Pay: \$ 7,000

Deny: _____

Need more info: _____

Need more translation: _____

NOTES:

- included original picture & letter from LT stating driver not at fault → evidence sufficient
- collect original letter from LT (b)(3), (b)(6)
- vehicle was old

Pages 10 through 18 redacted for the following reasons:

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

06-IV6-T0013-00010

Today on Monday 1 September 2005, this
man (b)(6) was involved
in an auto accident with collision forces at
1300 hrs his vehicle is DAEWOO Prince 4dr
Black in color he sustaine G damages to the
left end of the car.
The door, fender, the rear shield closs and
the back light. the driver was dead and
he was not at fault.

(b)(6)

ILT. G/10/153

Foreign Language Text

Foreign Language Text

Pages 22 through 31 redacted for the following reasons:

Foreign Language Text

Foreign Language Text, (b)(6)

Foreign Language Text

CENTCOM 002906

06-IV6-T0013-00032

06-IV6-T0013-00033



Foreign Language Text

Nonresponsive

06-IV6-T0013-00034

COM 002908