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

U.S. GOVERNMENT
PURCHASE ORDER-INVOICE-VOUCHER

DATE OF ORDER 3-Oct-07 | ORDER NO. (b)(2)High

PRINT NAME AND ADDRESS OF SELLER *(Number, Street, and State)**

PAYEE (b)(6)

Furnish Supplies or Services to (Name and Address)

SUPPLIES OR SERVICES	QTY	UNIT PRICE	AMOUNT
Condolence Payment	1	$2,500.00	$2,500.00

AGENCY NAME AND BILLING ADDRESS*

PAYOR
125th FMC
C Detachment, FOB Warrior
Kirkuk, Iraq
APO AE 09335

TOTAL $2,500.00
DISCOUNT TERMS
.....0.%
Net 30 ..... DAYS
DATE INVOICE RECEIVED

ORDERED BY *(Signature and Title)*
PPO: CPT (b)(3), (b)(6)
(b)(3), (b)(6)

PURPOSE AND ACCOUNTING DATA
(b)(2)High

PURCHASER - *To sign below for over-the-counter deliver of items*

RECEIVED BY
Witness: SGT (b)(3), (b)(6)
TITLE.
3-Oct-07

SELLER - *Please read instruction on Copy 2*

PAYMENT RECEIVED	PAYMENT REQUESTED
$2,500.00	$2,500.00

NO FURTHER INVOICE NEED BE SUBMITTED

SELLER: (b)(6)
(b)(6)
DATE
3-Oct-07
Today's date

I certify that this account is correct and proper for payment in the amount of:
$2,500.00
(b)(3), (b)(6)
Authorized certifying officer

DIFFERENCES
ACCOUNT VERIFIED CORRECT FOR
BY

PAID BY	CASH	DATE PAID	VOUCHER NO
SFC (b)(3), (b)(6)	$2,500 00	3-Oct-07	

OR.

* PLEASE INCLUDE ZIP CODE
1. SELLER'S INVOICE
(See Instructions on Copy 2)

STANDARD FORM 44A (Rev. 10-93)
PRESCRIBED BY GSA
FAR (48 CFR) 53.213 (c)

DEPARTMENT OF THE ARMY
3rd Infantry Brigade Combat Team Command Judge Advocate
3rd Infantry Brigade Combat Team
FOB Warrior, Kirkuk, Iraq, APO AE 09338

APVG-ZZO-JA 26 September 2007

MEMORANDUM FOR Commander, 3rd Infantry Brigade Combat Team, 25th Infantry Division, FOB Warrior, Kirkuk, Iraq. APO AE 09338

SUBJECT: 3rd IBCT CERP DISCRETIONARY BULK FUND.

1. The purpose of this memorandum is for the use of the 3rd IBCT, 25th IN DIV CERP Condolence Bulk Fund for a condolence payment to the father of Ms (b)(6) claims that on 222037JUN07 his daughter Ms (b)(6) was killed when a stray 2.75" rocket struck her residence while a SWT was engaging a nearby residence that was being occupied by UE at ME 2206 0913. This incident is not a cognizable claim under the Foreign Claims Act (Chapter 10, AR 27-20) because the damages were incident to combat.

2. Description of how these monies will support the 3rd IBCT, 25th IN DIV Commander's intent and spending priorities for CERP funds: This payment will support the strong relationship the 3rd IBCT has with the local populace by expressing our regret for the damages.

3. List the specific items or services requested in the table below:

#	Items to be purchased or service rendered	Unit Price	Quantity	Total Price
1	Payment for Condolence Fund	$2,500.00	1	$2,500.00
	Total:			$2,500.00

4. The transaction can be completed at one time with one payment.

5. POC for this action is MAJ (b)(3), (b)(6) VOIP 242-262 (b)(3)(b)(6), (b)(2)High

This claim is legally sufficient/ insufficient

(b)(3), (b)(6)
MAJ, JA
Foreign Claims Commissioner

I approve/disapprove this purchase.

(b)(3), (b)(6)
LTC, JA
Executive Officer

OFFICE OF THE COALITION PROVISIONAL AUTHORITY (OCPA)
PROJECT WORKSHEET

TYPE OF OPCA PROJECT: Regional Level Quick Impact Fund

MILITARY UNIT COORDINATING PROJECT: HHC. 3IBCT, 25th IN DIV, Judge Advocate

MILITARY UNIT CONTACT INFO FOR PROJECT

NAME: MAJ (b)(3), (b)(6)
PHONE: VOIP 242-2624
NIPR EMAIL (b)(3)(b)(6), (b)(2)High

NAME THE PROJECT: Condolence Fund Payment to the father of Ms (b)(6)

PROJECT LOCATION: Kirkuk, Iraq

PROJECT DESCRIPTION: Condolence Payment to Mr (b)(6)

DESCRIBE DIRECT BENEFIT TO IRAQI POPULATION: Condolence fund payments are cash payments to heirs of local nationals, or to their family members, who suffer death caused by Coalition Forces in the performance of official duty. US forces make Condolence fund payments, as an expression of sympathy and good will and in the best interest of the US Government.

COST (U.S. Dollars) AND JUSTIFICATION: **$2,500.00**. Mr (b)(6) claims that on 222037JUN07 his daughter Ms. (b)(6) was killed when a stray (b)(2)Hig rocket stuck her residence while a (b)(2)Hig was engaging a nearby residence that was being occupied by UE at (b)(2)High This incident is not a cognizable claim under the Foreign Claims Act (Chapter 10, AR 27-20) because the damages were incident to combat

NAME AND POSITION OF IRAQI WHO WILL ASSUME RESPONSIBILITY FOR THE COMPLETED PROJECT (Responsible Iraqi): Mr. (b)(6)

ESTIMATED NUMBER OF DAYS REQUIRED TO COMPLETE THIS PROJECT: 1

DEPARTMENT OF THE ARMY
3rd Infantry Brigade Combat Team Command Judge Advocate
3rd Infantry Brigade Combat Team
FOB Warrior, Kirkuk, Iraq, APO AE 09338

APVG-ZZO-JA 27 September 2007

MEMORANDUM OF OPINION

SUBJECT: Claim of (b)(6) 07-I14-T426

1. Claimants name and address: (b)(6) Kirkuk, Iraq.

2. Incident date and place the incident occurred giving rise to the claim: Incident occurred on 22 June 2007 in Kirkuk, Iraq.

3. Amount of claim and filing date: Claimant filed a claim in the amount of $2,500.00 on 26 September 2007.

4. Chapter the claim was considered under and a brief description of the incident or of the issues raised by the claimant on reconsideration: Foreign Claims Act and Chapter 10, AR 27-20; claim filed for loss of property.

5. Facts:

a. (b)(6) claims that on 22 June 2007, his daughter (b)(6) was killed when a stray (b)(2)High rocket struck her residence while a (b)(2)High was enngaging a nearby residence that was being occupied by UE.

b. There was a story board included in the submitted claim.

6. Opinion:

a. In order to form a basis for a claim under the FCA, the incident has to occur outside of the United States and be from either non-combat activities of the U.S. Armed Forces or by negligent or wrongful acts of military members or civilian employees of the Armed Forces.

APVG-ZZO-JA
SUBJECT: Claim of (b)(6) 07-I14-T426

b. There is insufficient evidence to suggest that this incident arose out of the negligence and/or wrongful acts of the United States Armed Forces. Any appeal must be submitted within 30 days.

7. Action: This claim is not payable under the FCA for the above mentioned reasons. Consequently this claim for $2,500.00 is denied.

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

CPT, JA
Foreign Claims Commissioner