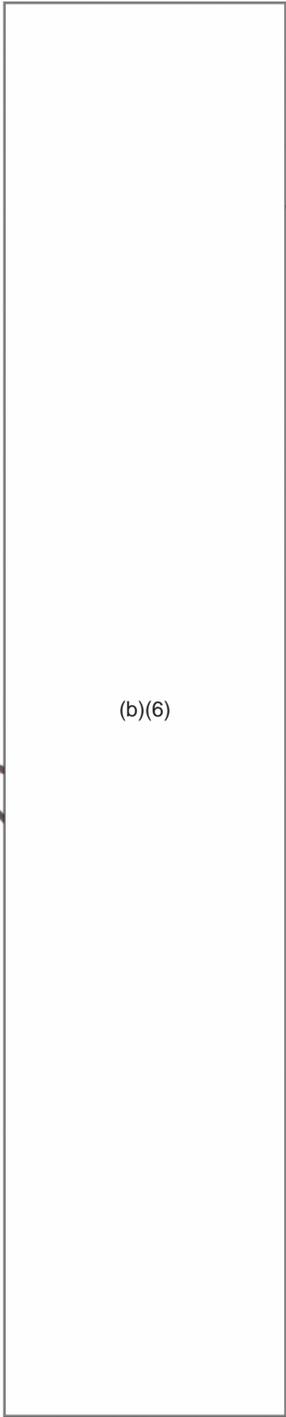


(b)(6)

~~4DAJ~~
7D

OSI 927 016
Notified 10 Nov 07
Entered into USARCS 10 Nov 07



(b)(6)

(144)

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

DENIAL CLAIM FILE CHECKLIST

- Action Memo Denying the Claim
- Decision Memo
- Claim Summary Sheet
- Supporting Documents (ID Card, Ownership, Statements, etc.)

10 107
b)(3), (b)(6)

DENIAL CLAIM FILE CHECKLIST

- Action Memo Denying the Claim
- Decision Memo
- Claim Summary Sheet
- Supporting Documents (ID Card, Ownership, Statements, etc.)

(b)(6) **CLAIMS CHECKLIST**

CLAIM NUMBER: _____ AMOUNT OF CLAIM: \$ 3000.⁰⁰

CLAIMANT'S NAME: (b)(6)

DATE OF INCIDENT: 26 Aug 07 DATE FILED: _____ DATE RECEIVED: _____

CLAIM TYPE:

Vehicle Damage Detainee Property Damage During Raids

SAF Damage/Injury Real Estate Other (Death)

CLAIM AROSE FROM:

Combat Activities Non-combat Activities

CLAIM IS:

Payable Not Payable

BRIEF OVERVIEW: Claimant states US Forces Conducted a Controlled Det. on a neighbors House Causing a wall to fall on his daughter and Kill Her

REMARKS:
Recommend Approval/Denial Full Amount

REVIEWED BY: (b)(6), (b)(3) DATE REVIEWED: 19 Sep 07

FCC COMMENTS

Deny 1-38 IN paid \$2,500 for property damage and \$2,500 for the death. This has already been paid.

DATE APPROVED/DENIED: @ NOV 07

- DENIED NO CERP-already paid. APPROVED
- Denial Memo Amount Approved: _____
- Approval Memo
- Settlement Agreement
- SF 1034
- Disbursing Officer Memo



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH INFANTRY BRIGADE COMBAT TEAM
MULTI-NATIONAL DIVISION—BAGHDAD
FOB FALCON, BAGHDAD, IRAQ
APO AE 09361

AFZN-BC-FCC

Claim of (b)(6) 08-192-T016

ACTION

1. Facts: The claimant alleges that on 26 August 2007, American forces conducted a controlled detonation on his neighbors house causing a wall to fall on his daughter and kill her.
2. Opinion: The FCA permits compensation for damages caused by negligent or wrongful acts of US forces. There is insufficient evidence of negligence by U.S. Forces.
3. Authority: The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.
4. Action: The claim is therefore denied.

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

CPT, JA
FCC 192



DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH INFANTRY BRIGADE COMBAT TEAM
MULTI-NATIONAL DIVISION-BAGHDAD
FOREIGN CLAIMS COMMISSION
FOB FALCON, BAGHDAD, IRAQ
APO AE 09361

November 9, 2007

4th Infantry Brigade Combat Team Legal Office

(b)(6)

Claim #08-I92-T016
Baghdad, Iraq

Dear Sir:

You have submitted a claim seeking compensation for the death of your daughter caused by a controlled detonation caused by U.S. forces on 26 August 2007. I have thoroughly reviewed your claim pursuant to the Foreign Claims Act (FCA), Title 10, United States Code § 2734, Army Regulation 27-20 (Claims) and Department of the Army Pamphlet 27-162 (Claims Procedures).

I have reviewed all the information included in your claim and the evidence from the resulting investigation. Unfortunately, your claim is not compensable. After reviewing your claim, it was determined that there was no evidence that US Forces acted either negligently or wrongfully. Accordingly, your claim must be denied.

If you are dissatisfied by this action, you may request reconsideration of the decision in accordance with Army Regulation 27-20. Any such request must be based on new or additional evidence and should be forwarded to this office. While there is no prescribed format for such a request, it must describe the legal and/or factual basis for relief. Any request for reconsideration should be made in writing within 30 days of your receipt of this letter. Thank you for your kind attention.

Sincerely,

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

Captain, U.S. Army
Foreign Claims Commission I92



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH INFANTRY BRIGADE COMBAT TEAM
MULTI-NATIONAL DIVISION—BAGHDAD
FOB FALCON, BAGHDAD, IRAQ
APO AE 09361

AFZN-BC-FCC

Claim of [REDACTED] 08-192-T016

ACTION

1. Facts: The claimant alleges that on 26 August 2007, American forces conducted a controlled detonation on his neighbors house causing a wall to fall on his daughter and kill her.
2. Opinion: The FCA permits compensation for damages caused by negligent or wrongful acts of US forces. There is insufficient evidence of negligence by U.S. Forces.
3. Authority: The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.
4. Action: The claim is therefore denied.

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

CPT, JA
FCC 192

I talked with the claimant he said that
the unit paid him 10500 for him on the
same type accident for his house he asked
for his daughter 1/3/2009
Taha 2/5/07/2007 * Claimant
has been
\$5,000.00
already

L

Claims Form
طالب تظلم

(b)(6)

Name: Foreign Language Text

(b)(6)

Phone Number

I am

Foreign

a. A national citizen of: Foreign Language Text

Foreign Language Text

b. A permanent resident of: (b)(6)

(b)(6)

c. Employed by: retired (b)(6)

(b)(6)

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

Shot at the home beside
Coalition Forces attacked my home on 19 June 2007 caused killing my daughter

Foreign Language Text

(b)(6)

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.)

الممتلكات المتضررة مسبوكة من: (إذا كان هذا التظلم قدم من قبل ممثل أو قريب أو عاش في جوار أحجار الممتلكات التي تخولكم وتوكلكم لتقدم بهذا التظلم أو أي دليل من ممثلين رسميين. أملاً التظلم بالأسفل للأفراد المتقدمين بالشكوى للإصابات أو الأضرار التي أصابتهم.)

My claim arose at: (Town)

Foreign Language Text

(b)(6), Foreign Language Text

تظلمي قدم في:

Baghdad

My claim arose on: _____

Foreign Language Text

التاريخ

26 Aug 2007

Give a brief statement of the accident or incident on which the claim for damages to property or for personal injury is based, (if necessary, in Arabic.)

His forces exploded his neighbor's empty house behind his claimant's house on 6/26/07 at 03:00 pm

في وقت مبكر من صباح يوم السبت 26 أغسطس 2007، انفجرت قواته منزلاً فارغاً لجاره خلف منزله المقيم.

because of that explosive the wall fell down on his daughter and she died.

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

Item	Amount
damage of house	
death of his daughter	
Total:	

أدرج بالتفصيل مبالغ الأضرار المادية أو الأضرار الشخصية والمصاريف المصروفة نتيجة الأضرار المادية أو الشخصية (مرفق الوثائق الداعمة، إن أمكن).

البند	المبلغ
إجمالي:	

I was insured to the following extent for the damage or injury I have sustained:

No insurance

دي تأمين على الممتلكات أو الضرر الجسدي استحوذت به بولاية:

I claim as damages: (In US amount, dollars and local currency)

\$ 3000

I.D. 3950 only

مبلغ تعويض الضرر أو بولاية (التي يتناولها الأمريكي رابطة الجاهل)

I (have/ have not) previously filed a claim relating to the incident described above.

أنا (تحت) (لم) تقديم بلاغ هذه الحادثة المذكورة أعلاه

To the best of my knowledge, no other claim (has/ has not) been filed relating to the incident described above.

بحسب علمي طرفة، لا يتم (تم) تقديم لهذه الحادثة المذكورة أعلاه

NOTE: BY SIGNING THIS CLAIM I CONSPIRE TO GOVERNMENT

شخص يحاول تقديم من قبل السلطات

THE INFORMATION PROVIDED BY WHO ATTEMPTS TO FILE A CLAIM AGAINST THE UNITED STATES

ملاحظة: بالتوقيع اسأل هذا التظلم لأن تسمي على أن في ذلك كاذب أو مستنق أو يزور التظلم ضد حكومة بولاية

Foreign Language Text, (b)(6)

(b)(6)

(توقيع التظلم) أرجاء كتابة الاسم والتوقيع

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

CENTCOM 010959

08-192-T016-00015

Death of Certificate

Foreign Language Text

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

Foreign Language Text

*the police examine the
in hospital they
in breach me
coming out of*

Foreign Language Text, (b)(6)

witness

US forces exploded his neighbor house
ward and behind the claimant house and that
caused damage on the house due to his
daughter hit by wall and died.

Foreign Language Text

شركة لبيع اسب

Foreign Language Text

Foreign Language Text, (b)(6)

*police report
The police examine carefully the claimant
statement and contacted
with accident.*

Foreign Language Text, (b)(6)

15000 paid by
unit
3200 transfer
for 3000 for his
daughter

(b)(6)

Foreign Language Text

Foreign Language Text, (b)(6)

Foreign Language Text

Foreign Language Text

and the
his daughter she died
she was 10 - and
married

(b)(6) (b)(6)

(b)(6)

Foreign Language Text, (b)(6)

Police rep-

Foreign Language Text, (b)(6)

The claimant that his
daughter was expired to
an accident caused on killing
his daughter.

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

*his m
copy
destroyed*

Foreign Language Text, (b)(6)

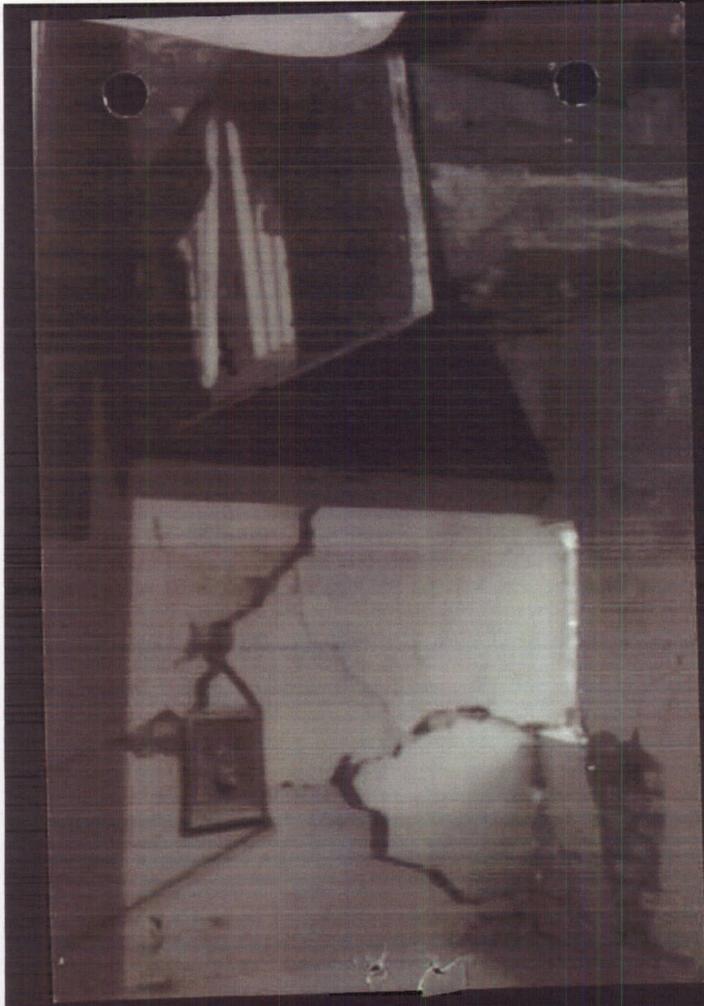
CENTCOM 010971
08-192-T016-00027

Foreign Language Text, (b)(6)



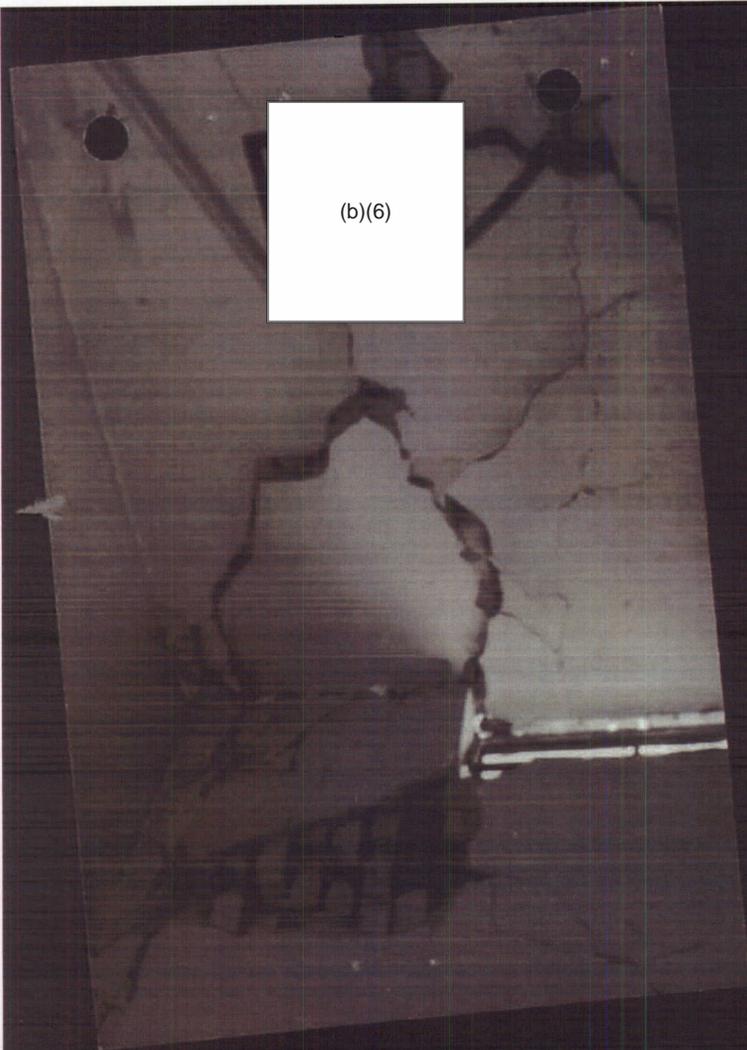
CENTCOM 010973

08-192-1016-00029



CENTCOM 010974

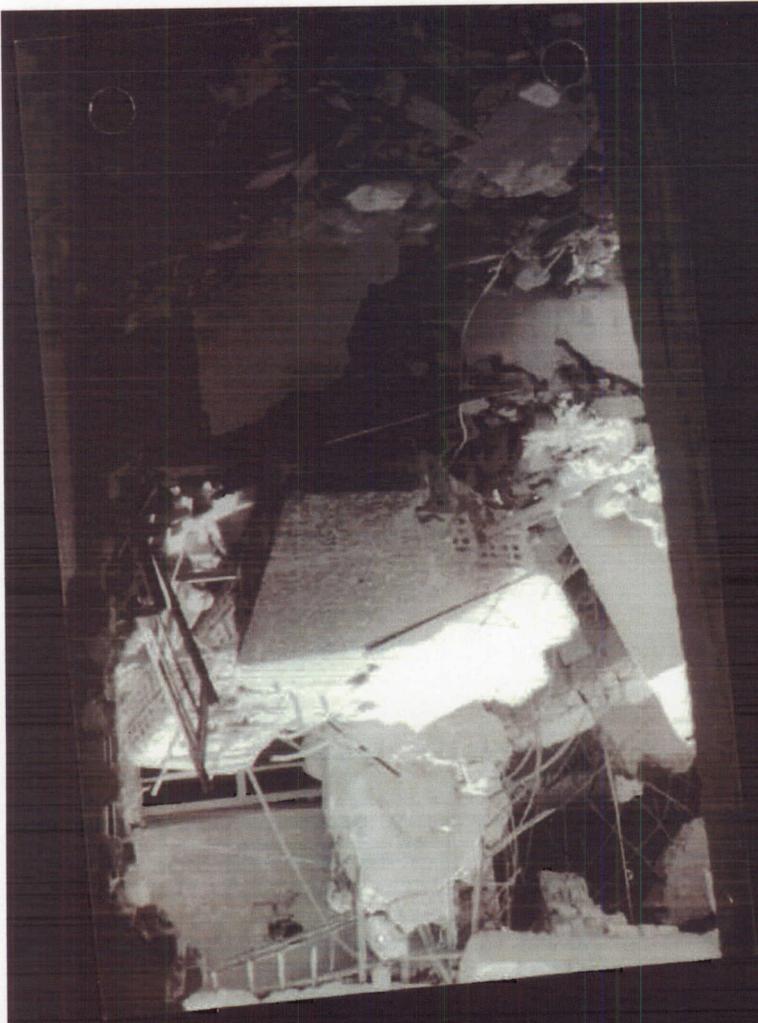
08-192-1016-00030



(b)(6)

CENTCOM 010975

08-192-T016-00031



CENTCOM 010976

08-192-T016-00032