

(b)(6)

7D 16 Feb 08

(b)(6)

(b)(6)

7D 8 Mar 08

08I922T105

DENIAL CLAIM FILE CHECKLIST

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

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

CLAIMS CHECKLIST

CLAIM NUMBER: 08192T 105 AMOUNT OF CLAIM: \$ 15000
 CLAIMANT'S NAME (b)(6)
 DATE OF INCIDENT: 11 October 2007 DATE FILED: 3 January 2008 DATE RECEIVED:

CLAIM TYPE:
 Vehicle Damage Detainee Property Damage During Raids
 SAF Damage/Injury Real Estate Other
 CLAIM AROSE FROM:
 Combat Activities Non-combat Activities
 CLAIM IS:
 Payable Not Payable

BRIEF OVERVIEW: The Claimant states that her home was damaged and her father was killed when coalition Forces engaged her house on accident

REMARKS:
 Recommend Approval / Denial

Check Sigact

REVIEWED BY: ~~SP-1~~ SP-1 (b)(3)(b)(6) DATE REVIEWED: 3 Jan 08

FCC COMMENTS
 Denied - Combat activity -
 Claims card is not from the event she is claiming -
 (b)(3)(b)(6)
 19 Feb 08

DATE APPROVED/DENIED: 9 Feb 08

DENIED (b)(3), (b)(6)
 Denial M

APPROVED
 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-T105

ACTION

1. Facts: The claimant alleges that on 11 October 2007, her son was killed by US Forces.
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

CENTCOM 011016

08-192-T105-00004



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-T105

ACTION

1. Facts: The claimant alleges that on 11 October 2007, her son was shot and killed by US Forces.
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

CENTCOM 011017

08-192-T105-00005



REPLY TO
ATTENTION OF

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

March 9, 2008

4th Infantry Brigade Combat Team Legal Office

(b)(6)

Claim #08-I92-T105
Baghdad, Iraq

Dear Ma'am:

You have submitted a claim seeking compensation for the death of your son. 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

CENTCOM 011018
08-I92-T105-00006



REPLY TO
ATTENTION OF:

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

February 16, 2008

4th Infantry Brigade Combat Team Legal Office

(b)(6)

Claim #08-192-1105
Baghdad, Iraq

Dear Ma'am:

You have submitted a claim seeking compensation for the death of your son by US Forces. 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 192

CENTCOM 011019

08-192-T105-00007

Claims Form

طلب تعظم

Name: (b)(6) الاسم:

Address: (b)(6) العنوان:

I am (b)(6) أنا:

a. A national citizen of: Iraq - أ. أحملي الجنسية:

b. A permanent resident of: above address ب. عنواني الدائم:

c. Employed by: ت. أعمل لدي:

Reconsideration: Claims Card I Recommended CERP because she cried when I did the denial -SGT (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)

in a claim card

أنتي انتظم لدي حكومي الولايات المتحدة للأضرار والإصابات التي نجمت من: (المنظمة، الوحدة العسكرية)

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.)

Death of her son

الممتلكات المتضررة مملوكة من: (إذا كان هذا التظلم قدم من قبل ممثل أو قريب أو عائل فارجاء أخطار المستمسكات التي تحاولكم وتوكلكم للتقدم بهذا التظلم، أو أي دليل من ممثلين رسميين. املا التظلم بالأفضل للأفراد المتقدمين بالشكوي للإصابات أو الأضرار التي أصابتهم)

My claim arose at: Al-Dora Arab Sabour - Baghdad Iraq (Town) (City) (Country)

تظلمس قدم في: القرية المدينة الندة أو المحافظة

My claim arose on: Oct 11 2002
Month Day Year

تقدمي قدم في: _____
السن يوم شهر

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.)

While her son was working in Adura Market
the coalition forces opened a fire towards him

باختصار اشرح ما حدث والاضرار التي اصابتك جراء ذلك ، سواء كانت جسدية او ممتلكات . (الرجاء استعمال خلفية هذه الورقة ان لم تكن الاسطر لتكفي)

and got shot in his head and died .

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.)

Item	Amount
<u>person killed</u>	<u>1575000</u>

Total: 1575000

اشرح بالتفصيل متى تضرر والكلفة للممتلكات او للاصابات الجسدية وتكلفتها (الرجاء اضافة التوتات والمتمسكات والقوائم الضرورية لكل شي لوحد)

الشيء المتضرر / تكلفته

اجمالي التكلفة

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

No insurance

لدي تأمين على الممتلكات أو الضرر الجسدي المتضرر بما يوازي:

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

\$ 15000

I.D.

أطالب بتعويض للاضرار يوازي (أكتب بالدولار الأمريكي أو العملة المحلية)

العملة المحلية

\$

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

سابقاً (قمت) (لم أقم) بتقديم بلاغ لهذه الحادثة المذكورة بالأعلى

To the best of my knowledge, another claim (has/ has not) been filed relating to the incident described above.

لحسن علمي طلب تعظم (قدم) (لم يقدم) لهذه الحادثة المذكورة بالأعلى

NOTE: BY SIGNING BELOW, YOU ARE SWEARING THAT THE INFORMATION PROVIDED IN THIS CLAIM IS ACCURATE AND TRUTHFUL. ANYONE WHO ATTEMPTS TO FILE, OR CONSPIRES TO FILE, A DUPLICATE OR FRAUDULENT CLAIM AGAINST THE UNITED STATES GOVERNMENT WILL FACE CRIMINAL PROSECUTION.

ملاحظة: بالتوقيع أسفل هذا التظلم فإن تقدم على أن كل المعلومات المقدمة في هذا التظلم هي صحيحة وحيثية. أي شخص يحاول تقديم تظلم كاذب أو يزور التظلم ضد حكومة الولايات المتحدة الأمريكية سوف يواجه عقوبات جنائية حادة ويحاكم من قبل السلطات.

(Signature of Claimant)

(توقيع التظلم) الرجاء كتابة الاسم والتوقيع

Subscribed to me this

15 day of Nov

, 2009

(Signature of Witness)

(Printed Name)

INTERNATIONAL
 22999-84824AD
IRAQI CLAIM CARD

The Army may pay claims to Iraqi civilians for property damage, injury and death caused by US Forces.

Fill out the required information below.

Give this card to the Iraqi civilian, or other appropriate person in the case of death.

Direct claimant to the nearest Government Information Center or the Iraqi Assistance Center. Do not promise them anything.

Upon return to your FOB, complete a SF 91 or DA Form 2623. Describe the incident completely and forward it to your nearest legal office. NOTE: This information should be used only to substantiate a claim against the Army.

1-40 CAV
 15 July 07
 RT Jackson
 Death (b)(6)

CLAIM CARD

البيان مطلوب من جانب القوات الأمريكية
 من المواطنين الكنديين، ممتلكي الأصول التي لحقت بآثار سقوط كتيبة القتلى
 بولاية من أصابات إلى آخره، أو موت لا يسمح الله بآثار من الظهور، أو
 بغير وراث ذلك القوات الأمريكية ذلك يكون لك الحق في التعويض
 كقوة سلاح أو طاقاته بملك الرجاء احفظ الأثر هذه البنائة وحوادث
 كذبة مع كل الأوراق الرسمية المتعلقة بهذا الأمر والتي لحقت بالمشروع هذا
 من الحوادث شهادة المهودا تقرير الشرطة، ووصولات بالاستلام أو
 التوقيع، وإثبات الملكية لا يحتمل أو تقدر ولا تحاول أن تحصل على تعويض
 من جهة المسألة إن كنت تحفل وخمساً.

في حال وجود هذه المعلومات إلى مركز المساعدة الأمريكي في معسكر
 أو في دولة في دولة فيندية في معسكر فالتكون الحكومية في معسكر
 أو في دولة فيندية في معسكر كالمر، معسكر دولك
 دولة فيندية في معسكر كالمر، معسكر دولك
 دولة فيندية في معسكر كالمر، معسكر دولك

البيان مطلوب من جانب القوات الأمريكية

in Language

The Report Explain That

The legal heritage of the wisdom belong
his parents and brothers

The legal divider divide the heritage into
6 shares 5 shares for father 1 share for

Also there is nothing for Mrs. Rose

Page 13 redacted for the following reason:

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

police report show that

it was impossible to examine the location
accident and make diagram because the it is
missing area and Iraq army forced transported
the body too.

Clement Statement.

She said that on Oct/11/2007 at 06:30 a.m.
Her son came out to the Aldura Area he was being
working there. about 02:00 some body phoned her
son got a shot by coalition forces and they he moved
By Iraq Army to the police station. her son was shot
because they thought he is terrorist. But he isn't
Civility.

Page 16 redacted for the following reason:

(b)(6), Foreign Language Text

Mothers victim was born in [redacted] she lives
at [redacted] she said in oct/11/2002
her son come out of the house to the market his
job pushing arrol car for a little wage. so while he
was being there the coalition forces opened fire
towards him and he got shot in his head and he
killed. The Coalition forces alleged that her son
is a terrorist. But her son is young and he
didn't carry any weapon and did illegally job.
Now the complain Coalition forces asking for compensation.

(b)(6)

(b)(6)

Page 18 redacted for the following reason:

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

Foreign Language Text

After police received ^{the} body from Iraq army

They examined it, the vict

(b)(6)

(b)(6)

Track of Bullets on the

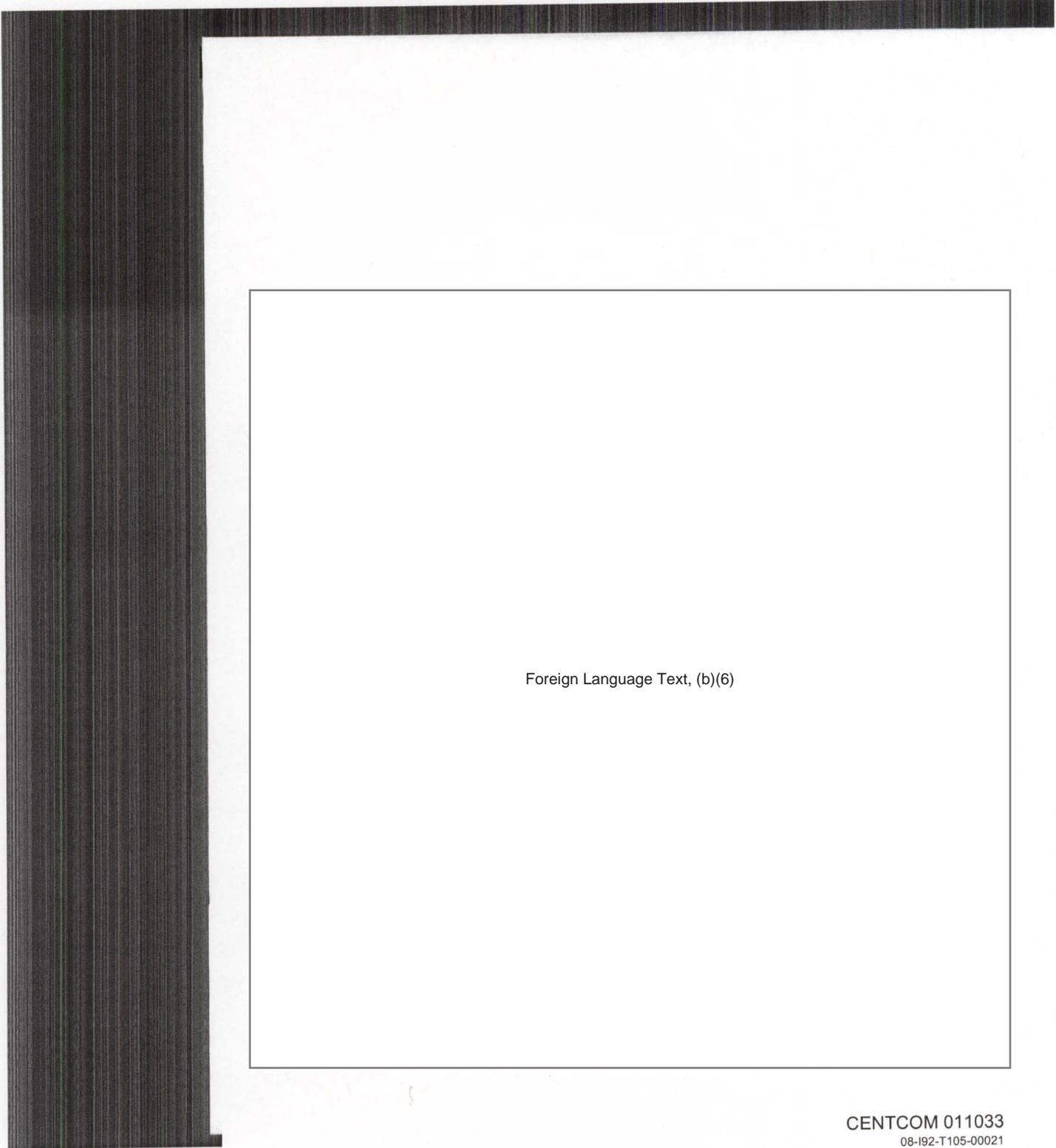
Back

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

*... returned to us
The write down the statement the
claimants*



Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)