

160-3  
19-Mar-00

08-T1049

(b)(6)

SAF INS/DAM

~~Approve \$5,000~~

- Duplicate ? I've seen this  
one several times.

~~Deny~~

- Approve \$5,000 (appeal)

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

Page 3 redacted for the following reason:

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(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

COM 016543

08-IK5-T1049-00004



REPLY TO  
ATTENTION OF:

DEPARTMENT OF THE ARMY  
CHARLIE COMPANY  
1ST BATTALION, 187TH INFANTRY REGIMENT  
3<sup>RD</sup> BRIGADE COMBAT TEAM  
101<sup>ST</sup> AIRBORNE DIVISION (AIR ASSAULT)  
PATROL BASE GATOR SWAMP, BAGHDAD, IRAQ 09344



AFZB-KC-C

09 FEBRUARY 2008

MEMORANDUM FOR RECORD

SUBJECT: BATTLE DAMAGE CLAIMS

1. The following individual has a historical battle damage claim from prior to TOA for C/1-187. Until recent the security issues in the area prevented this individual from formerly making their claim. No reports or SIGACT storyboards were transferred as part of RIP/TOA. In lieu of CF reports and storyboards the circumstances of the incident are as follows and as well sworn statements are attached to this memorandum.
2. (b)(6) were in their homes on 1 SEPT 06 when their homes were mistakenly targeted by an Air weapons team. (b)(6)'s children were killed in the attack and (b)(6) suffered a gunshot wound to his left leg. (b)(6) wife was paralyzed from the incident as well.
2. Both were evacuated to the CSH in Baghdad for treatment.
3. To this date (b)(6) has not received any compensation for the deaths to his children.
4. We wish to correct the mishandling of their case by the previous unit by help through the CMOC.
5. Attached to this memorandum are pictures of the destroyed house, the death certificate for his children, and medical records from his treatment.
7. The POC for this memorandum may be contact at SVOiP 672-9707

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

1LT, FA  
Fire Support Officer

CENTCOM 016544

08-1K5-T1049-00005



**GIC OPINION ABOUT A CLAIM**

**CASE NO.** (b)(6)

(b)(6)

1. The claimant presented memo from the US army on 9 Feb. proved their responsibility about the injury into the claimant's leg.
2. The claimant presented medical report supported the injuries and they did two surgeries for his leg.
3. the claimant presented two statements supported the accident.
4. The claimant ask amount of \$ **8300.00**.
5. We suggest letting his case compensation go to you.

With our respects

(b)(6)

LAWYER

(b)(6)

31 March 08

(b)(6)

MANAGER

(b)(6)

# Claim Department

## "THE CLAIM'S CONTAINS"

The Claimant name

(b)(6)

- Memo from 1LT. (b)(3),(b)(6) .....
- Medical report .....
- Two sworn statements, .....
- Iraqi document, .....
- .....
- .....

SIGN;-- (b)(6) --

NAME; --

DATE: 19-Mar-08



# Claims Form



To: United States Army Foreign Claims Commission

From: Name (b)(6)

Address: Baghdad (b)(6)

Iraqi ID No. \_\_\_\_\_

I am

a. A citizen and national of: Iraqi

b. A permanent resident of: Baghdad, Iraq

c. Employed by: \_\_\_\_\_

d. Check one ( ) an insurer (X) Not an insurer

e. Check one ( ) A subrogee (X) Not a subrogee

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

Against M.N.F

The property damaged had owned by: (If the claim is made as an agent, parent, or guardian, attach a power of attorney or other evic below for party sustaining the damage or injuries (b)(6)

My claim arose at Harghawi Baghdad Iraq  
(Town) (City) (Country)

My claim arose on Sep 1st 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.)

On date 1st of Sep. 06 the U.S troops bombarded  
Our area located in (b)(6) area resulted to  
Destroyed my house and injury me in left leg  
For that am asking for compensation.

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

Destroyed my house and injury me by  
The U.S army

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     |
|--------------------|------------|
| 1- For the damages | \$ 8300,00 |
| 2-                 |            |
| 3-                 |            |
| 4                  |            |
| 5-                 |            |
| 6                  |            |

Total: \$ 8300,00

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

(Name)

(Address)

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

\$ 8300,00 local 10,000,000 ID

(Signature of Claimant)

Subscribed before me this 19 day of Mar, 2008.

(SIGN)

(b)(6)

(PRINT NAME)

Pages 11 through 12 redacted for the following reasons:

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

To / the Judge Advocate  
Sub 1 A Claim for Compensation

Dear Sir

On 1 Sept 2006 The American Air force mistakenly shelled our house and I was injured with several fractions in the left thigh and ~~leg~~ left leg. I did several ~~oper~~ medical operations as it is shown in the medical reports. I hope that you compensate me for this damage.

The costs of the operations are (2,468,000) two million and four hundred sixty eight thousand Iraqi dinars, ~~(1,166,000)~~ the cost of rebuilding the fractions and (766,000) seven hundred sixty six thousand Iraqi dinars for reconstructing the skin and (353,000) three ~~hundred~~ hundred and fifty five thousand Iraqi Dinars for lifting the fix on my leg and thigh. The total sum with all other costs is about (4) million Iraqi Dinars

(b)(6)

Pages 14 through 18 redacted for the following reasons:

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(b)(6), Foreign Language



REPLY TO  
ATTENTION OF:

**DEPARTMENT OF THE ARMY**

Headquarters, 3d Brigade Combat Team  
101st Airborne Division (Air Assault)  
Camp Striker, Iraq, APO AE 09322

AFZB-KC-JA

23-Aug-08

MEMORANDUM FOR RECORD

SUBJECT: Action on Claim of (b)(6)  
08-IK5-T1049 / 160-3

1. Facts.

The claimant alleges that CF mortared the area, destroying his house and injuring his left leg.

Claimant has requested \$8,300.00

2. Opinion. In order to form a basis for a claim under the FCA, it must be shown that the incident occurred outside the United States, and that it was caused by noncombatant activities of the United States Armed Forces or by the negligent or wrongful acts of military members or civilian employees of the Armed Forces. The claim packet contained credible evidence of damage caused by US forces not involved in combat operations.

3. Authority. The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.

4. Action. Settle this claim in the amount of \$5,000.00

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

CPT, JA  
Claim Attorney IK5

| Standard Form 1034 (EG)<br>Revised October 1987<br>Department of the Treasury<br>1 FPM 4-2000<br>1034-121   |                             | <b>PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL</b>  |               |   | VOUCHER NO. |            |
|---|-----------------------------|---|---------------|---|-------------|------------|
| U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION<br><b>DEPARTMENT OF THE ARMY</b><br>24th FMC<br>Camp Liberty, Iraq<br>APO-AE 09344<br>DSSN: 5579 |                             | 10 DATE VOUCHER PREPARED<br>23-Aug-08   |               | SCHEDULE NO.  |             |            |
|   |                             | CONTRACT NUMBER AND DATE  |               | PAID BY<br>24th FMC<br>Camp Liberty, Iraq<br>APO AE 09344<br>DSSN: 5579 |             |            |
|   |                             | REQUISITION NUMBER AND DATE   |               | DATE INVOICE RECEIVED   |             |            |
| CLAIM #: 08-1K5-T1049   |                             |   |               | DISCOUNT TERMS  |             |            |
| PAYEE'S NAME AND ADDRESS<br>(b)(6)  |                             |   |               | PAYEE'S ACCOUNT NUMBER  |             |            |
| SHIPPED FROM  |                             | TO  |               | WEIGHT  |             |            |
|   |                             |   |               | GOVERNMENT BAL NUMBER   |             |            |
| NUMBER AND DATE OF ORDER  | DATE OF DELIVERY OR SERVICE | ARTICLES OR SERVICES<br><i>(Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)</i>  | QUANTITY      | UNIT PRICE  |             | AMOUNT     |
|   |                             |   |               | COST  | PER         |            |
|   |                             | In full settlement of the amount allowed by the Secretary of the Army, or an officer duly designated for such purposes under authority of 31 U.S.C. 3721 and AR 27-20, Chapter 10, upon the claim of the above named claimant for property damaged, lost, destroyed, captured, or abandoned in service. |               |   |             | \$5,000.00 |
| TOTAL   |                             |   |               |   |             | \$5,000.00 |
| PAYMENT:  |                             | APPROVED FOR  | EXCHANGE RATE | DIFFERENCES   |             |            |
| <input type="checkbox"/> PROVISIONAL  |                             | (b)(3),(b)(6)   | = \$1.00      |   |             |            |
| <input checked="" type="checkbox"/> COMPLETE  |                             |   |               |   |             |            |
| <input type="checkbox"/> PARTIAL  |                             |   |               |   |             |            |
| <input type="checkbox"/> FINAL  |                             |   |               |   |             |            |
| <input type="checkbox"/> ADVANCE  |                             |   |               |   |             |            |
| TITLE: SFC, US Pay  |                             | Amount verified correct for<br>(Signature or initials)  |               | \$5,000.00  |             |            |
| Pursuant to authority vested in me, I certify:  |                             | (b)(3),(b)(6)   |               | Foreign Claims Commission IK5   |             |            |
| (Date)  |                             | (Signature)   |               | (Title)   |             |            |
|   |                             | (b)(2)High  |               | \$5,000.00  |             |            |
| PAID BY   | CHECK NUMBER                | ON ACCOUNT OF U.S. TREASURY   | CHECK NUMBER  | ON (Name of bank)   |             |            |
|   | CASH                        | DATE  |               | (b)(6)  |             |            |
|   | \$5,000.00                  |   |               | PER   |             |            |
|   |                             |   |               | TITLE   |             |            |

Previous edition usable

NSN 7540-00-900-2234

**PRIVACY ACT STATEMENT**

The information requested on this form is required under the provisions of 31 U.S.C. 82b and 82c, for the purpose of disbursing Federal money. The information requested is to identify the particular creditor and the amounts to be paid. Failure to furnish this information will hinder discharge of the payment obligation.



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
HEADQUARTERS, 3D BRIGADE COMBAT TEAM  
101ST AIRBORNE DIVISION (AIR ASSAULT)  
CAMP STRIKER, IRAQ  
APO AE 09322



AFZB-KC-JA

23 August 2008

Foreign Claims Commission: IK5

RE: (b)(6) 08-IK5-T1049 / 160-3 (appeal 500-8)

Dear Claimant:

You have submitted a claim seeking compensation for the alleged damage to your property and injury to yourself. I have thoroughly reviewed your claim pursuant to the Foreign Claims Act (FCA) Title 10, USC §2734, Army Regulation 27-20, and Department of the Army Pamphlet 27-162 Claims Procedures.

Your damages are of great concern to the United States. In accordance with the cited references and the facts our investigation into your claim, I find your claim is **compensable**. **The United States will compensate you for your losses in the amount of \$5,000.00.**

If you are dissatisfied with this decision and wish to present additional evidence, you have thirty (30) days submit and appeal in accordance with AR 27-20.

عزيزي مقدم الطلب

لقد قدمت مطالبة للحصول على التعويضات عن الاضرار المزعومة والتي لحقت بالممتلكات الشخصية الخاصة بك , تنظيم الجيش 20-27 و ادارة شؤون US وقد قمت بمراجعة طبيك وبدقة وفقا لقانون المطالبات الخارجية المعنون 10 , 2734 الجيش 162-27 من اجراءات المطالبة.

ان الاضرار الخاصة بك تعتبر محط اهتمام لشعب الولايات المتحدة, وفقا للوقائع المذكورة في طلبك ومن خلال التحقيق اجد ان طلبك قابل للتعويض 5,000.00.

اذا كنت غير راض عن هذا القرار و ترغب في تقديم ادلة اضافية, لديك ثلاثين يوما ( 30 ) و يقدم الطعن وفقا للمادة ( 27-20 ) من قانون الجيش. AR

(b)(6)

12 AUG 2008  
\_\_\_\_\_  
Claimant Date

Sincerely,

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

(b)(6)  
12 AUG 08  
\_\_\_\_\_  
Date

Captain, US Army  
Claims Attorney, IK5

CENTCOM 016560

08-IK5-T1049-00021



GENERAL INFORMATION CENTER,  
AL-RADHWANYA,



500-8  
9 Aug - 08

Sub/Appeal request

I am (b)(6)  
I had made a claim in NO (b)(6) ..... and the case was rejected  
I would like you to appeal my case and I offer a new evidences to support my case:-

1. please kindly I bring you attention to
2. the memo of ILT. (b)(3),(b)(6)
3. attached herewith. He mention in article no 2
4. two names (b)(6)
5. (b)(6) I this two persons was inside these homes and the accident happened - For that I ask

(b)(6) you strongly to compensated me as my friend (b)(6)  
with my respect

The claimant signature / (b)(6)

THE CLAIMANT NAME

6 August 08  
The date

6 August 08



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
HEADQUARTERS, 3D BRIGADE COMBAT TEAM  
101ST AIRBORNE DIVISION (AIR ASSAULT)  
CAMP STRIKER, IRAQ  
APO AE 09322



AFZB-KC-JA

2 August 2008

Foreign Claims Commission: IK5

RE: (b)(6) 08-IK5-T1049 / 160-3

Dear Claimant:

You have submitted a claim seeking compensation for the alleged loss of your house and injury to your leg. I have thoroughly reviewed your claim pursuant to the Foreign Claims Act (FCA) Title 10, USC §2734, Army Regulation 27-20, and Department of the Army Pamphlet 27-162, Claims Procedures.

Your damages are of great concern to the United States Army. In accordance with the cited references and the facts of our investigation into your claim, I find your claim is **not compensable because there is not enough evidence to prove that Coalition Forces are the proximate cause of your damages.**

If you are dissatisfied with this decision and wish to present additional evidence, you have thirty (30) days submit an appeal in accordance with AR 27-20.

عزيزي مقدم الطلب

لقد قدمت مطالبة للحصول على التعويضات عن الاضرار المزعومة والتي لحقت بالممتلكات الشخصية الخاصة بك، وقد قمت بتنظيم الجيش 20-27 و ادارة شؤون الجيش 162-27 من US بمراجعة طبيك وبدقة وفقا لقانون المطالبات الخارجية المعنون 10, 2734 , اجراءات المطالبة.

ان الاضرار الخاصة بك تعتبر محط اهتمام لي و لشعب الولايات المتحدة، وفقا للوقائع المذكورة في طلبك ومن خلال التحقيق اجد ان طلبك غير قابل للتعويض وذلك لان الادلة لم تبرهن على الالهال الاميركي او النشاطات الغير قتالية من قبل القوات الاميركية.

( من AR اذا كنت غير راض عن هذا القرار و ترغب في تقديم ادلة اضافية، لديك ثلاثين يوما ( 30 ) و يقدم الطعن وفقا للمادة ( 27-20 ) قانون الجيش.

(b)(6)

6-8-2008

Sincerely,

Claimant

Date

(b)(6)

(b)(6)

6 August 08

Captain, US Army  
Claims Attorney, IK5

Witness

Date

CENTCOM 016562

08-IK5-T1049-00023

Pages 24 through 25 redacted for the following reasons:

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Already Reviewed and Redacted for Release, (b)(2)High, (b)(6), (b)(3)  
Already Reviewed and Redacted for Release, (b)(6), (b)(2)high, (b)(3)