

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

DL, 515

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



**FOREIGN CLAIMS COMMISSION  
COVER SHEET**

Claim Number: 5.0112

Date Received: 11-Apr-05

Name: (b)(6)

Address: (b)(6) Baghdad, Iraq  
(b)(6)

**Claim Summary:** C.F caused massive traffic accident with multiple fatalities and injuries. Claimant's truck was completely destroyed and his nephew/driver (b)(6) ) died as a result of the incident.

**Date of Incident:**

**Amount Requested:** \$300,000.00

**Recommendation:** [ ] Approval [ ] Denial [x] Investigation *FWD-up, amount over 15,000*

**Date Reviewed by OIC:** *13 April - Need 7 para memo.*

**Claim Is:** [x] Approved in the amount of \$\_\_\_\_\_.

[ ] Denied. Denial Code\_\_\_\_\_

[ ] On hold pending investigation findings.

~~0067-06~~  
0465-05  
FWD to FY 06

FMD to FY 08  
01/02-02

**FOREIGN CLAIMS COMMISSION  
COVER SHEET**

Claim Number: 5.0112

0069-06

Date Received: 11-Apr-05

Name: (b)(6)

Address: (b)(6) Baghdad, Iraq  
(b)(6)

**Claim Summary:** C.F caused massive traffic accident with multiple fatalities and injuries. Claimant's truck was completely destroyed and his nephew/driver (b)(6) died as a result of the incident.

**Date of Incident:**

**Amount Requested:** \$300,000.00

**Recommendation:** [ ] Approval [ ] Denial [X] Investigation  
*FWO-up, amount over \$15,000*

**Date Reviewed by OIC:** *13 April - Need ? para memo.*

**Claim Is:** [X] Approved in the amount of \$\_\_\_\_\_.

[ ] Denied. Denial Code\_\_\_\_\_

[ ] On hold pending investigation findings.

*Picture #76*

000-00

**SETTLEMENT AGREEMENT II8T0069-06**

I, (b)(6) of (b)(6) Baghdad, Iraq (b)(6) hereby agree to accept the sum of \$10,000.00 U.S. dollars as payment in full satisfaction and final settlement of any and all claims against the United States of America, its commissioned and noncommissioned officers, agents, and employees which have been asserted or which may be asserted arising from the incident occurring on or about the 12-Mar-05 in Baghdad, Iraq involving U.S. Forces. The damage incurred was C.F caused massive traffic accident with multiple fatalities and injuries. Claimant's truck was completely destroyed and his nephew/driver (b)(6) died as a result of the incident.

In consideration thereof, I hereby release and forever discharge the United States of America, including its officers, agents, and employees from all liability, claims and demands of whatsoever nature arising from the said incident. This release / settlement specifically includes all current or potential claims including attorney fees, if any, arising from or related to property damage, injury, and/or death resulting from this incident.

It is understood that the amount tendered is accepted as full satisfaction and final statements and that the award is made pursuant to the Foreign Claims Act, 10 U.S.C. 2734, and is not to be construed as an admission of liability on the part of, but as a release of, the United States of America, its officers, agents and employees.

(b)(6)

\_\_\_\_\_  
Claimant Name:

Address:  
\_\_\_\_\_  
\_\_\_\_\_

(b)(3),(b)(6), Foreign Language Text



DEPARTMENT OF THE ARMY  
HEADQUARTERS, 2D BRIGADE  
3D INFANTRY DIVISION  
BAGHDAD, IRAQ  
APO AE 09380

REPLY TO  
ATTENTION OF:

AFZP-VB-JA

Date: 2 October 2005

MEMORANDUM FOR RECORD

SUBJECT: FOREIGN CLAIM II8T0069-06 APPROVAL AS FOLLOWS:

**Claim of:** (b)(6)

**Address:** (b)(6) Baghdad, Iraq (b)(6)

**Date Filed:** 11-Apr-05

**Amount Claimed:** \$300,000.00

**Claimed Loss:** C.F caused massive traffic accident with multiple fatalities and injuries. Claimant's truck was completely destroyed and his nephew/driver (b)(6)  
(b)(6) died as a result of the incident.

1. Your above-mentioned claim is approved, and will be paid as follows:

[X] **Approved:** The claimant, (b)(6) will be paid **\$10,000.00** in compensation for property damaged, lost, destroyed, captured, or abandoned in service.

2. 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.

3. 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.

4. POC for this memorandum is SPC (b)(3),(b)(6) Camp Loyalty, @ VOIP (b)(2)High

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

FOREIGN CLAIMS COMMISSION

CENTCOM 004642

Standard Form 1034 (EG) Revised October 1987 Department of the Treasury 1 TFM 4-2000 1034-121	<b>PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL</b>	VOUCHER NO.
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U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION  <b>DEPARTMENT OF THE ARMY</b> HQ, 3D Infantry Division Office of the Staff Judge Advocate APO AE 09380	10 DATE VOUCHER PREPARED <b>2 October 2005</b>	SCHEDULE NO.	
	CONTRACT NUMBER AND DATE		PAID BY <b>3d Finance, 3d SSB</b> Camp Liberty, Iraq APO AE 09352 DSSN: 5579
	REQUISITION NUMBER AND DATE		

PAYEE'S NAME  AND ADDRESS	CLAIM #: <b>II8T0069-06</b>	DATE INVOICE RECEIVED
	(b)(6)	DISCOUNT TERMS
		PAYEE'S ACCOUNT NUMBER
		GOVERNMENT B/L NUMBER

SHIPPED FROM	TO	WEIGHT
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NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES <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.				<b>\$10,000.00</b>
<b>TOTAL</b>						<b>\$10,000.00</b>

(Use continuation sheet(s) if necessary)		<b>(Payee must NOT use the space below)</b>		<b>TOTAL</b>		<b>\$10,000.00</b>	
PAYMENT: <input type="checkbox"/> PROVISIONAL <input checked="" type="checkbox"/> COMPLETE <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL <input type="checkbox"/> PROGRESS <input type="checkbox"/> ADVANCE	APPROVED FOR	EXCHANGE RATE	DIFFERENCES				
		=\$	=\$1.00				
	BY						
	TITLE	Amount verified: correct for (Signature or initials)					

Pursuant to authority vested in	(b)(3),(b)(6)	CPT, JA
<b>5 NOV05</b> <i>(Date)</i>	(b)(3),(b)(6)	Claims Judge Advocate <i>(Title)</i>

(b)(2)High

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

Foreign Claims Pay Agent

PAID BY	CHECK NUMBER	ON ACCOUNT OF U.S. TREASURY	CHECK NUMBER	ON (Name of bank)
	CASH	DATE	PAYEE	(b)(6)
	\$ <b>10,000.00</b>	<b>5 NOV05</b>		

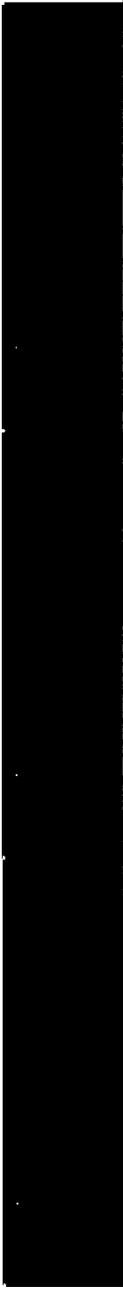
<sup>1</sup> When stated in foreign currency, insert name of currency.  
<sup>2</sup> If the ability to certify and authority to approve are combined in one person, one signature only is necessary, otherwise the approving officer will sign in the space provided, over his official title.  
<sup>3</sup> When a voucher is receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.

Previous edition usable

**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.

NSN 7540-00-900-2234





DEPARTMENT OF THE ARMY  
HEADQUARTERS, THIRD INFANTRY DIVISION (FWD)  
OFFICE OF THE STAFF JUDGE ADVOCATE  
APO AE 09352

REPLY TO  
ATTENTION OF:

AFZP-JAC

29 September 2005

MEMORANDUM FOR RECORD

SUBJECT: Action on Claim of (b)(6)

1. Facts. Claimant is head of extended household and on 12 March 2005, his nephew (b)(6) (b)(6) was killed in a vehicle accident caused by U.S. forces. Claimant has requested \$300,000 as compensation for the death of his nephew.

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. Claimant has produced sufficient evidence to show that U.S. forces negligently caused his loss.

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

4. Action. The claim is approved in the amount of \$10,000.

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

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

CWA, JA  
FCC IJ4

CPT, JA  
FCC IJ4

CENTCOM 004645



CENTCOM 004646

# Claims Form

To: United States Army Postal Office

From: Name: \_\_\_\_\_ (b)(6)

Address: \_\_\_\_\_

I am

- a. A citizen and national of: \_\_\_\_\_
- b. A permanent resident of: \_\_\_\_\_
- c. Employed by: He is just a worker
- d. Check one ( ) An insurer ( ) Not an insurer
- e. Check one ( ) A subrogee ( ) Not a subrogee

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

The damages caused by the American Forces

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.) The guy's uncle (b)(6)

My claim arose at: \_\_\_\_\_  
(Town) Baghdad (City) Iraq (Country)

My claim arose on: March Saturday 2003  
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.)

The owner of the truck is (b)(1)1.4a ) whose truck was destroyed, kind (scanned) by the American forces, and the damages was 100% percent, and because of this incident the guy (b)(6) was died. The owner of the truck's address is (b)(6) Baghdad / The phone number

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

The guy (b)(6) was died as a result of  
this incident.

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
A truck, kind (scanner) The damages was 100% percent	300,000 \$/

Total: 300,000 \$/

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

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

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

(Name) \_\_\_\_\_ (Address) \_\_\_\_\_

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

\$ 300,000 local 45 Million Dinars

(b)(6), Foreign Language Text

(Signature of Claimant)

Subscribed before me this April day of Thursday, 200 5.

(P)(b)(3),(b)(6), Foreign Language Text

(S)



Pages 17 through 18 redacted for the following reasons:

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Foreign Language  
Foreign Language, (b)(6)

Name:

(b)(6)

Address: Baghdad

(b)(6)

Model: Scania

1982

licence:

Baghdad

engine:

(b)(6)

chassis:

Foreign Language, (b)(6)

Name:

(b)(6)

Address: Baghdad

(b)(6)

Model: Scania 1982

licence:

Baghdad

engine:

(b)(6)

chassis:

CENTCOM 004654

Foreign Language  
, (b)(6)

Page 23 redacted for the following reason:

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Foreign Language, (b)(6)

**DEPARTMENT OF THE ARMY  
HEADQUARTERS AND HEADQUARTERS COMPANY  
2D BRIGADE, 3D INFANTRY DIVISION  
FOB LOYALTY, APO AE 09380**

REPLY TO  
ATTENTION OF:

AFZP-VB-JA

1 June 2005

MEMORANDUM OF OPINION

SUBJECT: Claim of (b)(6)

**1. Claimant's name and address:**

Baghdad, Iraq (b)(6)

(b)(6)

**2. Date and place the incident occurred giving rise to the claim:** Incident occurred on 12 March 2005, at Al-Wehda, Baghdad, Iraq.

**3. Amount of claim and date it was filed:** Claimant filed a claim in the amount of \$300,000.00 on 11 April 2005.

**4. Claim considered under the Foreign Claims Act and Chapter 10, AR 27-20;** claim filed for the death of the claimant's nephew/driver (b)(6) and the destruction of his vehicle.

**5. Facts:**

a. On 12 March 2005, a massive vehicular traffic accident occurred and resulted in multiple fatalities and injuries.

b. Claimant's brother was involved in the vehicular accident, resulting in his death and the destruction of his vehicle.

c. The traffic accident was the direct result of negligence on behalf of the United States Army.

**6. Opinion:**

a. 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 non-combat 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 claimant provided evidence that the United States Army was involved and caused in the traffic accident.

b. The claim is meritorious.

c. The evidence presented establishes negligence on behalf of the Coalition Forces.

**7. Recommended Action:** Approve and pay the claim in the amount of \$30,000.00

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

CPI, JA  
Single Member FCC

CENTCOM 004657

CENTCOM 004658



DEPARTMENT OF THE ARMY  
HEADQUARTERS, THIRD INFANTRY DIVISION (FWD)  
OFFICE OF THE STAFF JUDGE ADVOCATE  
APO AE 09352

REPLY TO  
ATTENTION OF:

AFZP-JAC

16 September 2005

MEMORANDUM FOR RECORD

SUBJECT: Action on Claim of (b)(6)

1. Facts. Claimant's 1982 Scania truck was damaged in a vehicle accident involving U.S. forces on 12 March 2005.

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. Claimant has provided sufficient documentation to establish the loss and cost of repair.

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

4. Action. Approve this claim in the amount of \$7,200

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

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

CW2, JA  
FCC U4

CPT, JA  
FCC U4

CENTCOM 004660

# CLAIMS Approval

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

(b)(6)

will come to FOB LOYALTY to.

Be paid on Saturday 5 NOV 05

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

2 BCT Legal

(b)(2)High

CENTCOM 004661

