

TF Iron
Foreign Claims Cover Sheet

File #: 8-I9C-029

Name: _____ (b)(6)

POA/ATT: _____ (b)(6)

Date Received: 22 MAR 2008 **Date of Incident:** ⁰⁸³⁰ 9 JULY 2007

Claim Amount: \$5,000 **Location:** Mukayshfah

Next Apt: _____ **Contact Info:** _____

Additional Evidence / Further Investigation:

Check Intsum **Check Sigacts** _____

Check Investigation Spreadsheet _____

Approved **Denied** _____

Goodwill Payment Recommended: _____

Approved: _____ **Denied:** _____

MVA **RAID** **LOST** **NEG FIRE** **REAL** **LAND**

OTHER: _____

TF Iron Claims Intake Form

Name of Claimant: _____

(b)(6)



Iraqi ID Card Seen and Identity Verified

 Iraqi Resident

Copy of Iraqi ID Provided

(Hometown is _____)

POA/Attorney Name _____

(b)(6)



Power of Attorney provided

 Original Seen

Names Match

 If POA, state relation _____

Decedents (if applicable list names below)

1. _____

(b)(6)

2. _____

3. _____

4. _____

Claim arose at: _____

Mukayghfah

Tikrit

(Town)

(City)

Claim arose on: _____

9

July

2007

Day

Month

Year

Time of Day: _____

0830

Proof of Ownership: _____



Vehicle VIN Number Match



Sales Contract Provided



Land Deed (Name Match)



Other (explain) _____

Death Certificates



Original Seen



Cause of Death Gun Shot



Name Match



Age of Decedent (b)(6) _____

Medical Report/Legal Expert Opinion



Legal Expert Report Attached: (total damages \$ _____)



Medical Report (State type and severity of injury)

Brief statement of the incident on which the claim for damages is based.

At 0830 09 July 2007 coalition forces were shooting
Randomly in the Mukayghfah area which shot and killed
_____ while he was driving on the
highway.
(b)(6)

CENTCOM 008305

Witness Statements

1. *Witness #1:* (Name) (b)(6) Eyewitness

Synopsis of Testimony: 09 July 2007, 0830 the decedent was in my house. Decedent left my house to drive toward Samarra. Coalition forces were on the same highway and shot decedent which killed the decedent.

2. *Witness #2:* (Name) (b)(6) Eyewitness Consistent w/ First Same Story as First Witness

Synopsis of Testimony: _____

Itemized expenses/damages resulting from the property damage or personal injury:

<u>Item</u>	<u>Amount</u>
Dead Husband	\$5,000

Total: \$5000

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

\$ 5,000 Iraqi Dinar _____

(b)(6)

→ _____
(Signature of Claimant)

Subscribed before me this 22 day of MAR, 2008.

(Pri) (b)(3)(b)(6) _____

(Sig)

Total Evidence Provided (Check all that apply)

- Witness Statements (# 2)
- Proof of Ownership
- Medical Documents
- Legal Expert Report
- Police Report
- Photographs
- Other _____
- Other _____
- Other _____



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, 1AD ARMORED DIVISION
MULTI NATIONAL DIVISION NORTH
CONTINGENCY OPERATING BASE SPEICHER, APO AE 09393

AETV-THH-CL

27 March 2008

MEMORANDUM OF OPINION

SUBJECT: Claim of (b)(6) 8-I9C-029

1. **Identifying Data:** (b)(6) gave a valid power of attorney to (b)(6)
(b)(6)
2. **Date and place the incident occurred giving rise to the claim:** The claim occurred in Mukayshfah, Tikrit on 9 July 2007.
3. **Amount of claim and date it was filed:** On 22 March 2008 the claimant filed a claim for \$5,000.00.
4. **Jurisdiction:** This request is presented for consideration under the provisions of the Foreign Claims Act, (FCA) 10 USC Section 2734, as implemented by Chapter 10, Army Regulation 27-20 and Department of the Army Pamphlet 27-162, Chapter 10. This claim was properly filed in a timely manner.
5. **Facts:** The claimant alleges that Coalition Forces ("CF") at around 0830 started to randomly fire and in the process they killed her husband (b)(6) At the time her husband was driving a black (b)(6) Daewoo on a highway. Two witnesses provided statements. (b)(6) (b)(6) stated that CF fired at random and killed the claimant's husband. (b)(6) (b)(6) said that CF came to Mukayshfah area and killed the husband in a random shooting. The death certificate is dated 30 August 2007. The statement from the judge stated that only the body and no car were found at the scene of the accident.
6. **Opinion:** A search of SIGACTs established that at the same time and day, but in a different location one civilian was killed by an improvised explosive device. The claimant did not explain why she waited so long to file the claim. The claimant did not explain why the death certificate was issued seven weeks after the death. In Iraq, dead people have to be buried within days and cemeteries will not allow a burial without a death certificate. The interpreter believes that the death certificate maybe a fake because it is written in handwriting of a child or someone who just learned to write. This claim is denied because the claimant failed to substantiate it by providing questionable evidence.
7. **Recommendation:** This claim should be disapproved.

CENTCOM 008307

AETV-THH-CL
SUBJECT: Claim of

(b)(6)

8-I9C-029

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

CPT, JA
Claims Judge Advocate

8-19C-8-19-C-029

GPOA-general power of attorney
JF-judge finding

WS-witness statement
CP-CL statement to police D-diagram

CJ-claimant statement to judge
DC-death certificate

P-picture
O-other (list)

1 (b)(6) She gave (GPOA) to Adnanmari
and (b)(6) on 26-feb-2008

2 (b)(6) born or (b)(6) he said
on 9-july-2007 collation forces start Random
shot and this shot killed suham husband
and died. (TIKRIT)

2 (b)(6) born (b)(6) he said the collation
forces came to mak Shiva Area and they start
to Random shot and shot killed (b)(6)
husband.

3 (b)(3)(b)(6) she has Death Certificate for her husband number
72338 on 30-8-2007 August

4 on 9-july-2007 on 8-30AM the collation forces
killed my husband when they start shooting every
where and my husband he was Ride Car Black
Car and when he died we didn't find his car
missing

5 A accident, 20KM away from Police Recerint. In Sarrawa
CF shot randomly, killed husband,
Police did not say car was missing

6 ~~Black~~ Car # (b)(6) # (b)(6) ~~Daewoo~~ Daewoo (Ford)



DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST ARMORED DIVISION
MULTI NATIONAL DIVISION NORTH
OFFICE OF THE STAFF JUDGE ADVOCATE
CONTINGENCY OPERATING BASE SPEICHER, APO AE 09393

REPLY TO
ATTENTION OF:

AEPV-THH-CL

MEMORANDUM FOR RECORD

SUBJECT: Waiver of Notification

1. I, the Claimant, hereby agree that if I fail to provide any requested evidence to the CMOC Claims Office within sixty (60) days of the date below or to request a written extension of the sixty (60) day period, such inaction shall constitute an affirmative act of abandonment of my claim, and my claim shall be administratively closed in accordance with the provisions of DA PAM 27-162, paragraph 13-3(f).
2. I further agree that if I wait longer than sixty (60) days from the date below to return to the CMOC to receive notification of the final disposition of my claim or to request a written extension of the sixty (60) days period, this failure will result in denial of the claim. The claim will be administratively closed in accordance with the guidance above.

1. أنا المشتكي هنا اوافق على اني اذا فشلت في اثبات طلبي بالادلة الكافية الى دائرة الشكاوي (السيماك) خلال مدة (60) ستون يوما من تاريخ اليوم او طلب التمديد (الاستئناف) خلال فترة ستون (60) يوما , هذا سوف يسبب عدم تكوين تأكيد لقضيتي , وبسبب ذلك قضيتي سوف تترك و تغلق اداريا طبقا للقانون (د,ا,ب,ا,م 162-27, من الفقرة 13-3(ف).

2. وانا كذلك اوافق على اني اذا انتظرت اكثر من (60) ستون يوما من التاريخ المحدد من دائرة (السيماك) لاستلام النتيجة للقرار النهائي لقضيتي او لطلب التمديد خلال الفترة المحددة وهم والقضية سوف تغلق اداريا وفقا للقانون.

(b)(6)

Claimant Signature: _____

Sworn before _____

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

, on 22 day of MAR 2008.

Page 8 redacted for the following reason:

Foreign Language Text, (b)(6)

2

(M)

(b)(6)

At the Police
Station

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

Q

ws)

(b)(6)

At the court

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

Death Certificate

Bomed

Foreign Language Text, (b)(6)

Foreign Language Text

Foreign Language Text

→ Death Time 09. July. 2007

Foreign Language Text, (b)(6)

→ Cause of Death = Gun shots

M 008314

4

Foreign Language Text, (b)(6)

Plaintiff statement at the Polico Antonio

Foreign Language Text, (b)(6)

4

Plaintiff statement at the C-1

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

CENTCOM 008316

11/10 1 - - - -

5

Diagram for ~~FT~~
The ACC

Foreign Language Text

Foreign Language Text

Foreign Language Text, (b)(6)

6

The Judge order to close the case

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)