

(b)(2)High

(b)(2) High

(b)(2)High

Nonresponsive, (b)(2)High

(b)(6)
(b)(2)High

(b)(2)High

(b)(6)
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Nonresponsive

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INITIAL AND FINAL REPORT:

AT 191506JUN07, TF 5-20 REPORTED A/5-20 TOOK PSAF AND MG FIRE IN THE DIYALA PROVINCE IN THE CITY OF (b)(2)High THE CONTACT ORIGINATED FROM THE NORTH AND NORTHWEST OF THEIR POSITION FROM MULTIPLE LOCATIONS. SMOKE MISSION WAS CALLED ON THE OPEN AREA TO OBSCURE FRIENDLY LOCATIONS. A/5-20 CONFIRMED A TARGET HOUSE AT (b)(2)High (b)(2)High CAS WAS CALLED IN AND GROUND WAS CLEARED FOR JDAM. 3X JDAMS WERE DROPPED. THE IMPACT FOR THE FIRST JDAM WAS NOT OBSERVED. THE SECOND AND THIRD IMPACTED THE SOUTHEASTERN CORNER OF THE TARGET HOUSE. A/5-20 AND UAV OBSERVED ADDITIONAL PAX MOVING INTO THE TARGET HOUSE. CAS MOVED OFF STATION AND GMLRS WERE LAID ON TO REDUCE THE TARGET. 1645: 4X ROUNDS WERE FIRED. 2X ROUNDS IMPACTED THE TARGET AND 2X IMPACTED JUST NORTH OF THE TARGET BUILDING. A/5-20 ALSO IDENTIFIED A SECOND SOURCE OF CONTACT AT (b)(2)High FIRE MISSION WAS PROCESSED FOR THE SECOND TARGET. 1X (b)(2)High WAS FIRE ON THE SECOND TARGET BUILDING. THE ROUND IMPACTED TARGET AND OBSERVERS ON THE GROUND REPORTED A SECONDARY EXPLOSION. ELEMENT REPORTED THAT CONTACT HAS IS NO LONGER SUSTAINED. THERE WERE NO CF INJURIES OR BDA AS A RESULT OF THIS CONTACT. ENEMY BDA IS NOT CONFIRMED. A/5-20 OBSERVED ADDITIONAL PAX MOVING I/O THE SECOND TARGET HOUSE AT (b)(2)High AWT WAS CLEARED TO ENGAGED BUILDING WITH 3X HELLFIRE MISSILES AND 130 ROUNDS OF 30MM. NO ADDITIONAL ENEMY ACTIVITY REPORTED. ENEMY BDA UNKNOWN.

07-06-045

5-20

JUN07

19-Jun-07

(b)(2)High

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(b)(2)High

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(b)(2)High

Nonresponsive, (b)(2)High

Foreign Claims Intake Form

To: 3D HBCT, 1 CD, Foreign Claims Office, FOB Warhorse, Iraq.

From: Name: (b)(6) Sex: _____
Address: _____

I am a citizen and national of: Iraq

Name of Unit or US Personnel involved in incident: _____

Owner of property that was damaged: _____

My claim arose at: (b)(6) / _____ / _____
Town City Country

My claim arose on: June 19 2007 / _____
Month Day Year Time

Give a brief statement explaining how the claim arose and the nature of the damages. Be sure to include the what, where, when, who, and how of what happened. Write legibly.

What: 2 cars, 2 died (2 daughters) 1 injured (son) exploded house

Who: house in daughter's name

Where: _____

When: _____

How: CP AUT

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

\$ 100,000 local (b)(6)

Signature of Claimant

Name of Attorney

Subscribed before me this 8 day of Sept, 2007.

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

DEPARTMENT OF THE ARMY
3d Heavy Brigade Combat Team
1st Cavalry Division
FOB Warhorse, Iraq
APO AE 09336

AFVA-3B-JA

23 September 2007

MEMORANDUM FOR RECORD

SUBJECT: Claim of [redacted] (b)(6) 07-3/1-528

1. Claimants name and address: [redacted] (b)(6) Iraq.
2. Incident date and place the incident occurred giving rise to the claim: Incident occurred on 19 Jun 07, in [redacted] (b)(6) Iraq.
3. Amount of claim and filing date: Claimant filed a claim in the amount of \$100,000.00, on 08 Sep 07.
4. Chapter the claim was considered under and a brief description of the incident or of the issues raised by the claimant on reconsideration: Foreign Claims Act and Chapter 10, AR 27-20; claim filed for property damage.
5. Facts: Claimant alleges that a Coalition Forces (CF) air weapons team engaged a target in his neighborhood and damaged the family's house and their two cars. Moreover, both of his daughters were killed in the engagement and his son was injured.
6. Opinion: In order to form a basis for a claim under the FCA, the incident in question must have arisen outside the United States. In addition, the incident must be caused by either non-combat activities of the United States Armed Forces or by negligent or wrongful acts of military members or civilian employees of the Armed Forces. CF were engaged in combat operations when the incident occurred.
7. Recommended Action: This claim is not payable under the FCA for the above mentioned reasons. Consequently, this claim for \$100,000.00 is denied.

[redacted] (b)(3), (b)(6)

CPT, JA
Foreign Claims Commission

CENTCOM 008433

In the name of God

Sir. The in charge of foreign claims commission in
Diyala , Esquire .

Dear sir :

At 4:00 PM , 19 June 2007 , when (b)(6) act begane in
Baquba , the C.F shoted fires on my house located in (b)(6)
region without any reason , in the result my daughters (b)(6) and
(b)(6) are killed with injured (b)(6) in addition to
destroy the house and furniture and my son cars :

- 1.Kia potentia , (b)(6) , (b)(6) - Diyala , evaluated with
6500 \$.
- 2.Hyundai - Alentra , (b)(6) , (b)(6) - Diyala , evaluated
with 3500 \$.

After the incident directly my brother's sons hurried to safe
the injuries with many people , but the C.F shoted another rocket
against all above , so they killed my brother's sons (b)(6) and
(b)(6) with one neighbor's son .

Next day the C.F came to my house directly , saw the heavy
damage and harm , they apologize and told that the fires are by
wrong way , they gave me hand a paper to return the airport .

So I hope from your justice to check this incident with
compensation :

- 1.Killed both daughters (b)(6) = 15000 \$.
- 2.Injured (b)(6) = 5000 \$.
- 3.Damage the house with two floors = 50000 \$.
- 4.Damage the furniture inside = 20000 \$.
- 5.Damage my and my son cars = 10000 \$.

The sum of all damage and harm in my house and family is
(100000 \$) by that wrong way fires .

With more thanks and respects

(b)(6)

The claimant

(b)(6)

(b)(6)

26 Aug. 2007

Sub. \ House damage report

House description : New building – double volume included , entry , bedroom , kitchen , shower in the first floor .

Second floor \ Three bedrooms .

Damage :

Completely destroyed the house and furniture .

Furniture damaged :

Bedroom furniture , refrigerator , freezer , two television , satellite , C.D , set of seats , washing machine , food table and chairs , three air-coolers , water boiler , two water tanks , two washing stands , water pump , generator , sewing machine , kitchen , equipment , cup board , sink , set foot sucers , steal oven , electric mixer , carpets and seven fans .

Note :

All furniture destroyed in completely nothing safe .