



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS
1ST STRYKER BRIGADE COMBAT TEAM
25TH INFANTRY DIVISION
FOB WARHORSE, IRAQ
APO AE 09336

Foreign Claims Commission I8Y

(b)(6)

Al-Khalis
Claim 08-2SCR-0188

Dear Claimant:

You have submitted a claim seeking compensation for your loss. I have thoroughly reviewed your claim pursuant to the Foreign Claims Act (FCA), Title 10, United States Code §2734, Army Regulation 27-20, and Department of the Army Pamphlet 27-162 Claims Procedures. Allow me to express my sympathy for your loss, however, in accordance with the cited references and the investigation into your claims, I find that your claim is **not compensable**. After an exhaustive search of records of the date in question, your claim was **denied** for the following reason:

- a. There is not enough evidence to prove your claim.
- b. The evidence shows that United States Forces did not cause the damage.
- c. The evidence shows that the damage was caused during combat.
- d. The evidence shows that the damage was caused by your own negligence or wrongdoing.
- e. Other: _____

If you are dissatisfied by this action, you may request reconsideration of the decision in accordance with AR 27-20. Any such request must be forwarded to this office for Foreign Claims Commission consideration. 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.

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

Captain, US Army
Foreign Claims Commission I8Y

CENTCOM 008462



DEPARTMENT OF THE ARMY
HEADQUARTERS
1ST STRYKER BRIGADE COMBAT TEAM
25TH INFANTRY DIVISION
FOB WARHORSE, IRAQ
APO AE 09336

موضوع/ رفض قضية

- أ- ان الشكوى التي قدمتها قد تم رفضها للأسباب التالية :
- A. - لم توجد ادلة كافية لتثبت صحة القضية .
- B. - الادلة تبين ان قوات التحالف لم تتسبب بالحادث .
- C. - الادلة تبين ان الاضرار قد حصلت اثناء مصادمات .
- D. - الادلة تبين ان الحادث قد حصل نتيجة اهمالك او الخطيء الذي تسببت فيه .
- E. - اخرى -----.

ب- اذا كانت هذه المرة الأولى ينظر بقضيتك في هذا المكتب ,تستطيع ان تقدم استئناف خلال (30) يوما من استلام هذه المذكرة، للاستئناف كذلك يجب ان يجلب المشتكى المزيد من المستمسكات لاثبات صحة القضية، اذا ارسلت القضية للاستئناف فيما بعد ولم تضيف مستمسكات اخرى سوف ترفض القضية للمرة الثانية.

Claim Number: 2009 1/25 176

Date Submitted: 26-Jul-08

Intake Point: FOB Warhorse

Claimant's Name: (b)(6)

Claimant's Address:

Attorney: (b)(6)

Atty Phone #

Type of Claim: Reconsideration / Appeal Amount Claimed: \$5,000.00

Date of Incident: 27-Jun-07

Location of Incident: Al-Khalis -- Naai road

Description of Incident: Claimant's husband was shot while walking.

- Identification Papers (Genscia, Ration, Residency, etc.)
 - Photographs
 - Claimant's Statement
 - Claims Card
 - Police/Investigative Report
 - Witness Statement
 - Claim Form
 - Medical Report
 - Death Certificate/Burial document
 - Real Property Deed
 - Document of Ownership (vehicle, etc.)
 - Mechanic or Contractor Estimate
- Other Documents:

Notes:

There is a SIGACT for an IED at this time and place, but no note of any deaths.

Conclusions:

The evidence shows that the damage was caused during combat.

Recommend FCA Denial

Recommend FCA Approval

Condolence Amount: \$2,500.00

FCA Amount:

Battle Damage Amount: \$0.00

FEB 28 PAID

MAJ (b)(3),(b)(6) CONCUR / DENY Comments:

COL (b)(3),(b)(6) CONCUR / DENY Comments:

FCA Approved Approved Amount: \$ _____

FCA Denied Condolence Payment: \$ _____

Battle Damage Payment: \$ _____

Final Disposition Date: 02-Dec-08

Claim Reviewed by: SSG (b)(3),(b)(6)

In the name of God

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

Sub. Reconsideration

In before I submitted a demand of the compensation about
killing my husband ([redacted] (b)(6)) in [redacted] (b)(6) , its refused
according your respect decision [redacted] (b)(6), (b)(2)High made huge harm to my
rights, so I want to explain the following :

1. My husband was one of [redacted] (b)(6) member in [redacted] (b)(6) supported
the CF to fight the terrorism groups .
2. My husband not have any dislawful action, killed by the CF when he's
walking on [redacted] (b)(6) general street.
3. The witnesses' evidences proof that your forces killed my husband in
wrong fire without any reason.

For above reasons & other your justice can see to help me to
neglect the above decision & help me with 5000 \$ to support my underages
children lost our only incom source, our only guardian.

With thank & respect...

Enclosures

1. Witnesses' ID cards (2)
2. Witnesses' evidences.

[redacted] (b)(6)
Claimant
[redacted] (b)(6)
Agent lawyer [redacted] (b)(6)

4 Oct. 2008

CENTCOM 008465

Evide of the witness (b)(6), driver, (b)(6) years old, live

in (b)(6) village, after swears, said :

At 27 June 2007 the person (b)(6) was killed after injured & wounded by the CF's fires when he's walking on the general street (b)(6). He's one of (b)(6) members supported the CF & government to watch the street & prevent the terrorism groups to reach the village.

This my evidence.

(b)(6)

(b)(6)

4 Oct. 2008

Evidence of the witness (b)(6) -years old, (b)(6)

in Khalis-AlDojama village, after swears, said :

At 27 June 2007 the person (b)(6) was wounded by the CF's fires when he's walking on the general street (b)(6) (b)(6), so immediately died by that huge wounds, he's one of (b)(6) members, was watching the street to prevent the terrorism groups to reach the village.

This my evidence...

(b)(6)

(b)(6)

4 Oct. 2008



DEPARTMENT OF THE ARMY
HEADQUARTERS, 2D STRYKER CAVALRY REGIMENT
FOB WARHORSE, IRAQ
APO AE 09336

REPLY TO
ATTENTION OF:

SEP 05 2008

Foreign Claims Commission IL2

(b)(6)

Al-Sahwa

Claim Number: **08-2SCR-0188**

Dear Claimant:

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

Allow me to express my sympathy for your loss, however, in accordance with the cited references and the investigation into your claims, I find that your claim is **not compensable**. After an exhaustive search of records of the date in question, your claim was **denied** for the following reason: **your husband's being killed was the result of insurgent activities**.

If you are dissatisfied by this action, you may request reconsideration of the decision in accordance with AR 27-20. Any such request must be forwarded to this office for Foreign Claims Commission consideration. 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.

Sincerely,

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

Captain, US Army
Foreign Claims Commission IL2

CENTCOM 008467

In the name of God

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

Dear sir : At 27 June 2007 the CF killed my husband (b)(6)

when he's walking on (b)(6) road, he died with huge wound by that injury. My husband was in (b)(6) organization support with the CF & the village's people against the terrorism groups, he left underages children without any guardian & support. My husband was a victim of the CF's military acts, killed with the wrong way.

So I hope your approval with 7000 \$ a compensation about lost my only guardian (b)(6).

With thank & respect...

Enclosures

1. I.D. document
2. Death certificate
3. Witnesses evidences.

(b)(6)

(b)(6)

Claimant

(b)(6)

Agent Lawyer (b)(6)

24 July 2008

Republic of Iraq
Ministry of Health

Death certificate

No. (b)(6)

Date: 27/6/2007

Dead- Surname (b)(6)	Gender Male	Nationality Iraqi	Religion Moslim	Job Soldier
Marrital status Married	Birth date (b)(6)	Birth place (b)(6)	Death place Khalis-Dojama	
Dead Father's name (b)(6)	Dead mother's name (b)(6)	Reporter (b)(6)	Relation Mother	Address Dojama

The cause of death is: _____

Fireshots in all the rest of the body
Hour 10 00 Day 27 Month June Year 2007

I am undersigned, Dr. (b)(6)
In Khalis general hospital, I have been
sent by Khalis police station, according letter No. 3788 at 27/6/2007

I.D card No. (b)(6), File No. (b)(6), page No. (b)(6), governorate Diyala

Signature: (b)(6)
Dr. (b)(6)
Address Khalis G.H.
Date: _____

Evidence of the witness (b)(6) years old, live in (b)(6) village, after sward, said :