

2-060-5

08-031

(b)(6)

(b)(6), Illegible Text

(b)(6)

foreign language, (b)(6)

FOREIGN CLAIMS COMMISSION COVER SHEET



Claim Number: 2.0605

USARCS NUMBER: 08-0318

Date Received:

Name:

Address: Baladiat, Q738, St27, H54, Baghdad, Iraq.

Claim Summary: Claimant's filing for reconsideration of claim #08-0150 and has provided new evidence.

Date of Incident: 11/11/2007 12:00:00 AM

Amount Requested: \$12000.00

(b)(2)High, (b)(5)

Notes:

Lack of Evidence

CERP CONDOLENCE CONSIDERATION

(b)(2)High

TO: Foreign Claims Commission
Subject: Foreign Claim 115/08-0150

I know of the dated brief in 17/6/2008 published from Foreign Claims Department, which rejected according to it the numbered claim 115/08-0150 because the claim is free from the identification, whereas the claim rejected because shortage in the identification.

For proofing of the wrong or failure of the U.S. Army, we show the following during the legal duration from date of my notification:-

1- In enclosed it, witness of headmistress of the teacher [redacted] (b)(6) and summarized witness her as following:-

a- The firing is done after the explosion.

b- During the explosion, after it and firing the shots, was my child [redacted] (b)(6) [redacted] (b)(6) setting in the classroom and after happen the explosion, the teacher asked from the student go out to the walkways because it are protecting by the walls.

c- My child runs to the stair for rising to the second floor with her sister for fear of sound of the explosion. At starting her rising to the stair, she affected with the shot in heart her during the glass from the window exist in the walkway. She is dead in the road to the hospital with the headmistress, and then the U.S. Army collected the shots which are existing in the school field.

Conclusion:-

My child affected after short time of the explosion, and when the U.S. Army was fire in random due to one of wheels is affected and this show that my child is affected result the random firing.

2- In enclosed it, witness of the Teacher [redacted] (b)(6) and summarized witness her as following:-

a- After I hear the explosion, and because of the classroom contains on several of windows and for protecting of the students, I asked from them leaving of the classroom and go to the walkways.

b- The child is affected after the random firing and not during the explosion because she was in the classroom during happen the explosion.

Conclusion:-

The affect is not happen during the explosion, but happened after the random firing by the U.S. Army. (b)(6) (b)(6)

3- In enclosed it, witness of the school guard ((b)(6)) and summarized witness him as following:-

Follow happening the explosion, the random firing by the U.S. Army, and the important thing is that the firing was towards the school, to proof that, there is the firing in the school field and then the U.S. Army collected the shots which are existing in the school field.

Conclusion:-

Existing of the random firing towards the school, to proof that there is the much firing in the school field.

The mentioned identification in above are very clear, that the affect happened after the random firing by the U.S. Army and result that my child is affected.

There are other witnesses but we take the three witnesses because they were nearest to the happening. *There were hundred (100) persons ready for witness.*

(b)(6)

Requests:-

During the above mentioned, I request the finance compensation similar to the other cases. *\$ 12000.00*

(b)(6)

With regards,

Enclosed:

- Witness of the teacher (b)(6)
- Witness of the teacher (b)(6)
- Witness of the school guard (b)(6)

(b)(6)

Father of the child (b)(6)
(b)(6)

foreign language, (b)(6)

Witness of the teacher (b)(6)

Job:

(b)(2)High

School in Al-

(b)(2)High

Address: Baghdad (b)(6)

Witness in date 20/8/2008, is following:-

At about 9 O'clock A.M in 11/11/2007, I hear explosion lead to happen dismay in the students and they go out from classrooms them for protecting with walls of the school interior walkways. And I hear that the child (b)(6) affected shooting in heart her and I run to her and by helping of one of police cars, we go to the hospital but unfortunately she is dead in the police car. When I came back to the school, I observed that the shots which are fire by the U.S Army in direction of the school with much firing in the school field. Then the U.S. Army entered to the school field and collected all of the shots.

(b)(6)

Headmistress

(b)(6)

foreign language, (b)(6)

Witness of the teacher [redacted] (b)(6)

Job: Teacher of [redacted] (b)(6) School in Al-Baladiyat Area.

Address: Baghdad - [redacted] (b)(6)

Witness in date 20/8/2008, is following:-

At about 9 O'clock A.M in 11/11/2007, I was study in the mentioned school and was among the students the child [redacted] (b)(6) During I study the students in the classroom, happen big explosion lead to happen dismay in the students and they go out from classrooms them for protecting spirits them. During this explosion, the U.S. Army fired the much shots in random towards the school and the child [redacted] (b)(6) directed to the stairs for rising to the second floor because her sisters are in the classrooms in the second floor, but she is affected during that. There were much of the shots by the U.S Army in direction of the school in the school field and the U.S. Army came to the field school and collected all of the shots.

[redacted] (b)(6)

[redacted] (b)(6)

The Teacher

[redacted] (b)(6)

24

foreign language, (b)(6)

Witness of the Guard (b)(6)

Job: Guard in (b)(6) School.

Address: Baghdad – (b)(6) Elementary School.

At about 9 O'clock A.M in 11/11/2007, happen big explosion and follow it the shots in random by the U.S. Army, the shots was part of it towards the school and these shots speared in the school field.

Result that the child (b)(6) affected shooting and the headmistress carry her in one of police cars towards the hospital, but unfortunately she is dead in road her to the hospital. Then the U.S. Army entered to the field school and collected all of the shots.

(b)(6)

The Guard

(b)(6)

(b)(6)

TO:

Foreign Claims Commission
115/08-0150

foreign language, (b)(6)

foreign language

foreign language, (b)(6)

foreign language, (b)(6)

(b)(6)

foreign language



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH IBCT
10TH MOUNTAIN DIVISION (LI)
FOB LOYALTY, APO AE 09313

AFZS-LP-Z-JA

10 November 2008

MEMORANDUM FOR RECORD

SUBJECT: DISAPPROVAL OF FOREIGN CLAIM II608-0318:

Claim of: (b)(6)

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

Date Filed: 9/17/2008 12:00:00 AM

Amount Claimed: \$12000.00

Claimed Loss: Claimant's filing for reconsideration of claim #08-0150 and has provided new evidence.

Claim Number: 2.0605

1. Your above-mentioned claim is disapproved.
2. This incident **does not** comply with the provisions of the Foreign Claims Act, 10 U.S.C. Section 2734, as implemented by Chapter 10, AR 27-20. This claim was filed in a timely manner. This claim did occur outside the United States.
3. The reason for the disapproval of this claim is code 6:
 1. Loss was a result of Combat Operations
 2. The filing claimant is an improper claimant
 3. Claim lacked evidence supporting U.S. negligence or fault
 4. Claim lacked evidence to prove a loss
 5. Loss was a result of Anti-Coalition Forces
 6. Claimant Filed for Reconsideration of Previous Claim and filed no new evidence.
 7. Statute of Limitations Expired.
4. You have filed a request for reconsideration regarding your claim. Your file has been reviewed by the FCC. Unfortunately, you did not bring any new evidence that would change the original finding regarding your claim. **This disapproval notice is final. You are no longer entitled to file a claim for this incident in order to receive compensation.** If you are dissatisfied by this action, you may consult Iraqi agencies that may be able to assist you in this matter.
5. POC for this memorandum is SS (b)(3), b(6) FOB Loyalty, @ VOIP 675-1018.

(b)(3), b(6)

CPT, JA
Foreign Claims Commission

CENTCOM 020168

08-0318-00011



REPLY TO
ATTENTION OF:

AFZS-Z-JA

DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH BRIGADE COMBAT TEAM
10TH MOUNTAIN DIVISION (LIGHT)
CAMP LOYALTY, IRAQ 09313

17 June 2008

MEMORANDUM FOR RECORD

SUBJECT: DISAPPROVAL OF FOREIGN CLAIM I15/08-0150:

Claim of: (b)(6)

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

Date Filed: 4/4/2008 12:00:00 AM

Amount Claimed: \$12000.00

Claimed Loss: Claimant's daughter killed by small arms involving C.F.

Claim Number: 2,0295

1. Your above-mentioned claim is disapproved.
2. This incident **does not** comply with the provisions of the Foreign Claims Act, 10 U.S.C. Section 2734, as implemented by Chapter 10, AR 27-20. This claim was filed in a timely manner. This claim did occur outside the United States.
3. The reason for the disapproval of this claim is code 3:
 1. Loss was a result of Combat Operations
 2. The filing claimant is an improper claimant
 3. Claim lacked evidence supporting U.S. negligence or fault
 4. Claim lacked evidence to prove a loss
 5. Loss was a result of Anti-Coalition Forces
 6. Claimant Filed for Reconsideration of Previous Claim and filed no new evidence.
 7. Statute of Limitations Expired.
4. 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.
5. POC for this memorandum is SSG (b)(3), (b)(6) OB Loyalty, @ VOIP 675-1018.



Received on 1st Sep 08

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

CPT, JA
FOREIGN CLAIMS COMMISSION

Claims Form

Claim# 2-060-5

Date: 3rd Sep 2008

GICof / 9 NISSAN

(b)(6)

To: United States Army Foreign Claims Commission

Claimant Name: (b)(6) Relationship: The Owner

National of: Iraqi Claimant's Address: Neighborhood (b)(6)

Q (b)(6) St# (b)(6) H# (b)(6) Ph: (b)(6)

Have you filed a claim before? Yes NO

Damage type: Death Injury Car House Furniture Other

Place of incident: St (b)(6) School: Baladiat Town:

City: Baghdad Country: Iraq

Date of incident: Time 9:00 AM Day: 11th Month: Nov Year: 2007

Give a brief statement of the accident or incident. An I.E.D targeted an American patrol. The patrol started shooting randomly toward her daughter's school (b)(6) yrs old) one from the bullets shot her daughter in the head caused death to it.

Did you receive a claims card from the military unit that caused the incident? Yes No They didn't stop

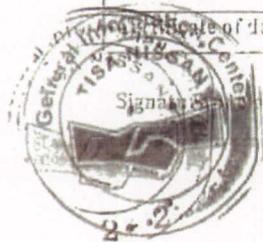
List in detail the value of the property damage and itemized expenses resulting from the property damage or personal injury:(Attach bills)

Item	Amount: \$	Amount: ID
Death	12,000.00	/
	/	/
	/	/
	/	/
	/	/

Total 12,000.00 U.S.D

List of attached document.

Identity	<input checked="" type="checkbox"/>	House document	<input type="checkbox"/>
Certificate of Nationality	<input checked="" type="checkbox"/>	Car document	<input type="checkbox"/>
Ration card	<input checked="" type="checkbox"/>	Claim card	<input type="checkbox"/>
Residence card	<input checked="" type="checkbox"/>	Bill	<input type="checkbox"/>
Picture	<input checked="" type="checkbox"/>	Magazine	
IP Report	<input checked="" type="checkbox"/>	CD	
Medical Certificate of Death	<input checked="" type="checkbox"/>		



Signature: (b)(6)

Date: 3rd Sep 2008

Name: Jady Hassan

**CLAIM FOR DAMAGE,
INJURY, OR DEATH**

INSTRUCTIONS: Please read carefully the instructions on the reverse side and apply instructions completed on both sides of this form. Use additional sheets if necessary. See reverse side for additional instructions.

FORM APPROVED
DASH 702
1105-1008

1. Submit to Appropriate Federal Agency:

506th RCT Legal Office
Camp Loyalty, Iraq
APO AE 09390

2. Name, Address of claimant and claimant's personal representative, if any. (See instructions on reverse for number, street name, State and Zip Code)

(b)(6)

3. TYPE OF EMPLOYMENT
 MILITARY CIVILIAN

4. DATE OF BIRTH
(b)(6)

5. MARITAL STATUS
Married

6. DATE AND DAY OF ACCIDENT
11th Nov. 2007

7. TIME (A.M. OR P.M.)
9:00 AM

8. Basis of Claim (State in detail the known facts and circumstances attending the damage, injury, or death, identifying persons and property involved, the place of occurrence and the approximate time.) (Use additional pages if necessary.)

An I.E.D targeted an American patrol. The patrol started shooting randomly toward my daughter's school. My daughter was studying in her class when a bullet came from the window shot her in the heart.

9. PROPERTY DAMAGE

NAME AND ADDRESS OF OWNER, IF OTHER THAN CLAIMANT (Number, street, city, State, and Zip Code)

Same as above.

BRIEFLY DESCRIBE THE PROPERTY, NATURE AND EXTENT OF DAMAGE AND THE LOCATION WHERE PROPERTY MAY BE INSPECTED. (Use instructions on reverse side.)

U.S murdered my daughter (b)(6) yrs old

10. PERSONAL INJURY, PERSONAL DEATH

STATE NATURE AND EXTENT OF EACH INJURY OR CAUSE OF DEATH, WHICH FORMS THE BASIS OF THE CLAIM. IF OTHER THAN CLAIMANT, STATE NAME OF INJURED PERSON OR DECEDENT.

11. ENTIRE DEED

NAME

ADDRESS (Number, street, city, State, and Zip Code)

12. See instructions on reverse

AMOUNT OF CLAIM (in dollars)

12a. PROPERTY DAMAGE

12b. PERSONAL INJURY

12c. PERSONAL DEATH

12d. TOTAL (Failure to specify may cause forfeiture of your rights.)

12,000.00

12,000.00 U.S.D

I CERTIFY THAT THE AMOUNT OF CLAIM CORRECTLY STATES AND DESCRIBES DAMAGES BY THIS ACCIDENT AND I AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM.

13a. SIGNATURE OF CLAIMANT (See instructions on reverse side.)

(b)(6)

13b. Please print name of claimant

(b)(6)

14. DATE OF CLAIM

2nd Sep 08



FEDERAL GOVERNMENT
PROPERTY DAMAGE
AND PERSONAL INJURY SETTLEMENTS

FORM APPROVED BY DEPT. OF JUSTICE
1105-1008

(b)(6), foreign language

Foreign Language Text, (b)(6)

□

(b)(6)

foreign language

foreign language, (b)(6)

08-0318-00018

CENTCOM 020175

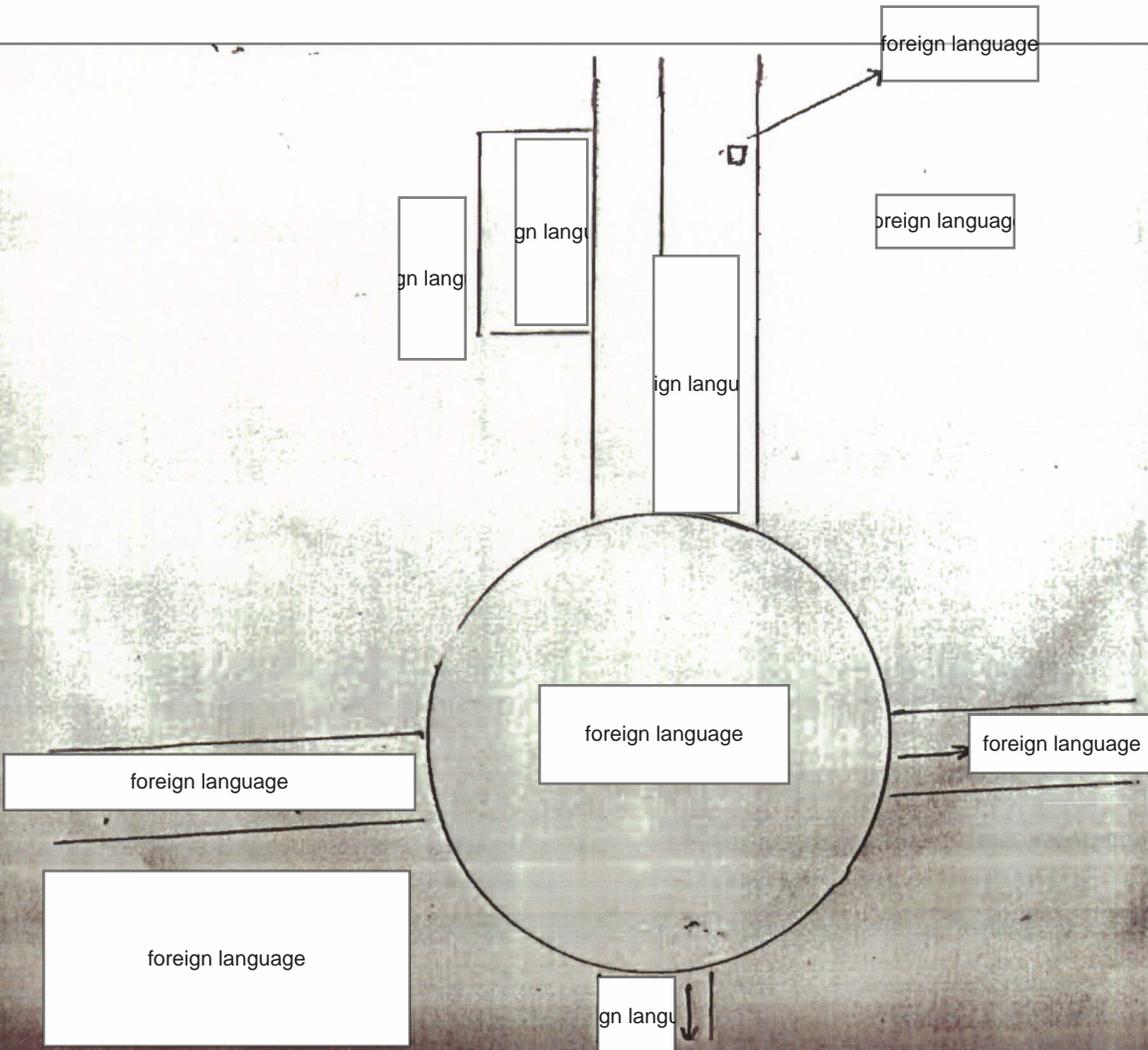
foreign language, (b)(6)

(b)(6), foreign language

(b)(6), foreign language

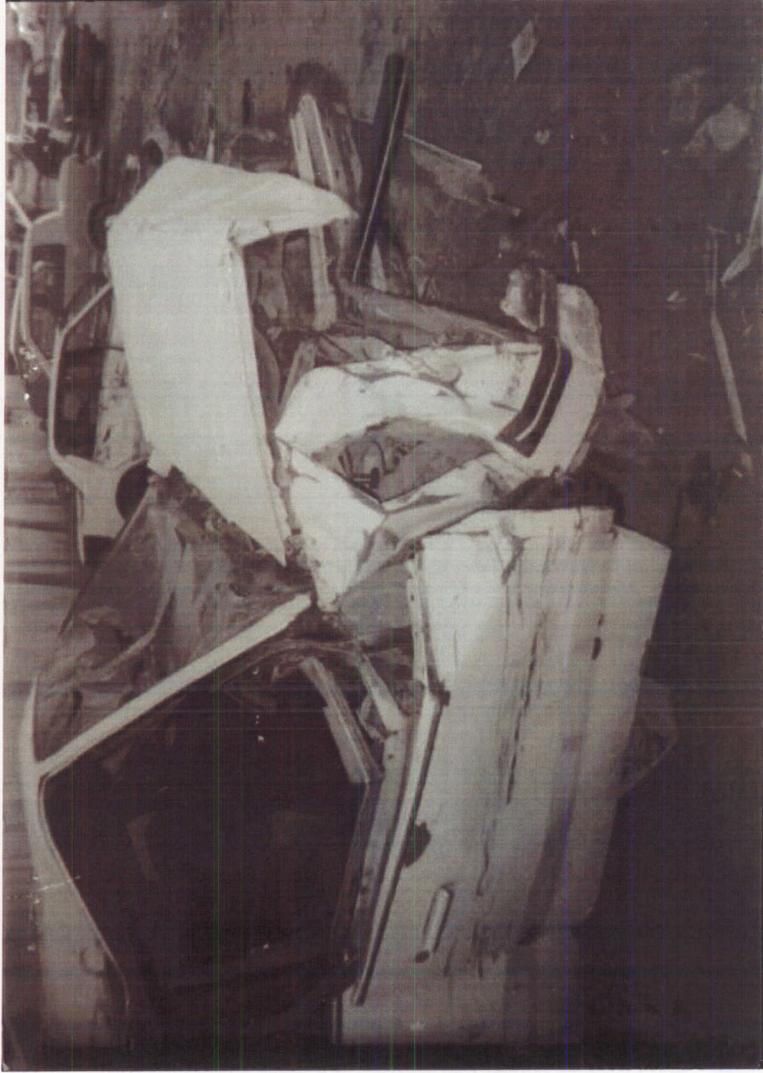
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(b)(6), foreign language

foreign language, (b)(6)



08-0318-00025

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