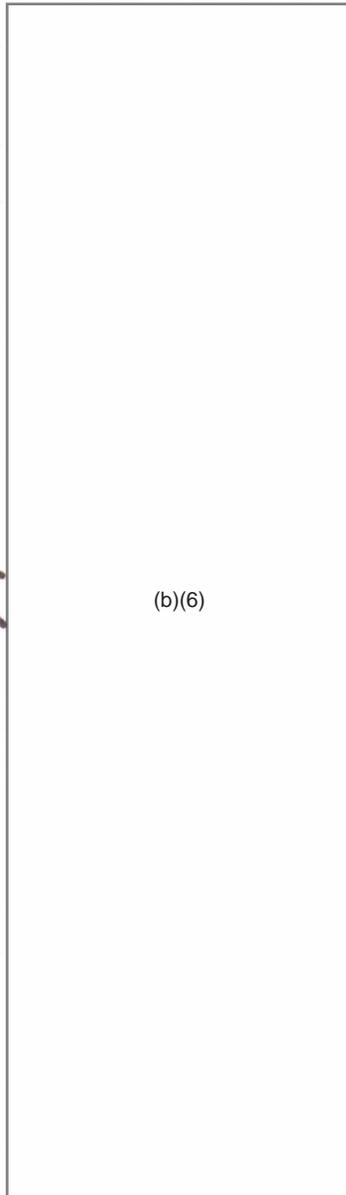


(b)(3)(b)(6)

~~4DAJ~~
7D

Notified 10 Nov 07
Entered into USARCS 10 Nov 07

OSI 927 016



(b)(6)

(144)

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

08

DENIAL CLAIM FILE CHECKLIST

(b)(2)High

10 10/07
(b)(3), (b)(6)

DENIAL CLAIM FILE CHECKLIST

(b)(2)High

(b)(6)

CLAIMS CHECKLIST

CLAIM NUMBER: [redacted] AMOUNT OF CLAIM: \$ 3000.⁰⁰
 CLAIMANT'S NAME: [redacted] (b)(6)
 DATE OF INCIDENT: 26 Aug 07 DATE FILED: DATE RECEIVED:

CLAIM TYPE:
 Vehicle Damage Detainee Property Damage During Raids
 SAF Damage/Injury Real Estate Other (Death)
 CLAIM AROSE FROM:
 Combat Activities Non-combat Activities
 CLAIM IS:
 Payable Not Payable

BRIEF OVERVIEW: Claimant states US Forces conducted a controlled Det. on a neighbors House causing a wall to fall on his daughter and kill her

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

REVIEWED BY: [redacted] (b)(3),(b)(6) *Alatry* DATE REVIEWED: 19 Sep 07

FCC COMMENTS
 Deny 1-38 IN paid \$2,500 for property damage and \$2,500 for the death. This has already been paid.

DATE APPROVED/DENIED: 6 NOV 07

(b)(2)High



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH INFANTRY BRIGADE COMBAT TEAM
MULTI-NATIONAL DIVISION—BAGHDAD
FOB FALCON, BAGHDAD, IRAQ
APO AE 09361

AFZN-BC-FCC

Claim of (b)(6) 08-192-T016

ACTION

1. Facts: The claimant alleges that on 26 August 2007, American forces conducted a controlled detonation on his neighbors house causing a wall to fall on his daughter and kill her.
2. Opinion: The FCA permits compensation for damages caused by negligent or wrongful acts of US forces. There is insufficient evidence of negligence by U.S. Forces.
3. Authority: The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.
4. Action: The claim is therefore denied.

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

CPT, JA
FCC I92



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH INFANTRY BRIGADE COMBAT TEAM
MULTI-NATIONAL DIVISION-BAGHDAD
FOREIGN CLAIMS COMMISSION
FOB FALCON, BAGHDAD, IRAQ
APO AE 09361

November 9, 2007

4th Infantry Brigade Combat Team Legal Office

(b)(6)

Claim #08-192-1016
Baghdad, Iraq

Dear Sir:

You have submitted a claim seeking compensation for the death of your daughter caused by a controlled detonation caused by U.S. forces on 26 August 2007. I have thoroughly reviewed your claim pursuant to the Foreign Claims Act (FCA), Title 10, United States Code § 2734, Army Regulation 27-20 (Claims) and Department of the Army Pamphlet 27-162 (Claims Procedures).

I have reviewed all the information included in your claim and the evidence from the resulting investigation. Unfortunately, your claim is not compensable. After reviewing your claim, it was determined that there was no evidence that US Forces acted either negligently or wrongfully. Accordingly, your claim must be denied.

If you are dissatisfied by this action, you may request reconsideration of the decision in accordance with Army Regulation 27-20. Any such request must be based on new or additional evidence and should be forwarded to this office. 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. Thank you for your kind attention.

Sincerely,

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

Captain, U.S. Army
Foreign Claims Commission I92



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH INFANTRY BRIGADE COMBAT TEAM
MULTI-NATIONAL DIVISION—BAGHDAD
FOB FALCON, BAGHDAD, IRAQ
APO AE 09361

AFZN-BC-FCC

Claim of (b)(6) 08-I92-T016

ACTION

1. Facts: The claimant alleges that on 26 August 2007, American forces conducted a controlled detonation on his neighbors house causing a wall to fall on his daughter and kill her.
2. Opinion: The FCA permits compensation for damages caused by negligent or wrongful acts of US forces. There is insufficient evidence of negligence by U.S. Forces.
3. Authority: The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.
4. Action: The claim is therefore denied.

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

CPT, JA
FCC I92

I talked with the claimant he said that
the unit paid him \$5,000 for his on the
same type accident for his house - he asked
for his Daughter - 1st 3000
Taka 2/500/2007 * Claimant
has been
\$5,000.00
Already

(b)(6) Claims Form
طالب تظلم

(b)(6), Foreign Language Text

(b)(6)

Phone Number _____

I am _____
a. A national citizen of: Foreign Language Text (أحمل جنسية:)

b. A permanent resident of: Foreign Language Text (مقيم دائمي في:)

c. Employed by: Foreign Language Text (موظف لدى:)

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

*Shot at the home beside
Coalition Forces attacked my home on 14 June 2007 caused killing my daughter*
أنتي تظلم لدى حكومي الولايات المتحدة للأضرار والإصابات التي نتجت من: (الوحدة العسكرية)

(b)(6), Foreign Language Text

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.)

الممتلكات المتضررة مملوكة من: (إذا كان هذا التظلم قدم من قبل ممثل أو قريب أو عامل فترجاء إحصار المستندات التي تفيدكم وتؤكدكم للتقدم بهذا التظلم، أو أي دليل من ممثلين وشهودين. املا التظلم بالأفضل للأفراد المتقدمين بالشكوى للإصابات أو الأضرار التي أصابتهم)

My claim arose at: _____
(Town) (City) (Country)

Foreign Language Text تظلم

Baghdad

(b)(6)

My claim arose on

Foreign Language Text

السنة 26 Aug 2007

Give a brief statement of the accident or incident on which the claim for damages to property or for personal injury is based, (if necessary, in your own language.)

US forces exploded his neighbor's empty house behind his claimant house on 6/19/2007 at 03:00 PM

بمقتضى الشرح ما حدث والأضرار التي سببها جراء ذلك، سواء كانت جسيمة أو بسيطة. (إذا جاء استعمال لغة هذه الورقة إن لم تكن اللغة المكتوبة)

because of that explosive the wall talled down on his daughter and she died

List in detail the amount of property damage and itemized expenses resulting from the property damage or personal injury. Attach receipts if available.

Item	Amount
damage of house	
death of his daughter	
Total:	

أدرج بالتفصيل مبالغ الأضرار والكلفة للممتلكات أو للإصابات الجسدية والنفوسية (إن وجدت) وصوراً أو فواتير الضرورية (إن كان متاحاً)

التاريخ المستقبلي
أو بصي اللغة

I was insured to the following extent for the damage or injury I have sustained:

No insurance

في تأمين على الممتلكات أو المصور الجسدي المتضرر بها يولي:

I claim as damages: (In case of death, in U.S. dollars and local currency)

\$ 3,000

I.D. 3,950,000

مبلغ تعويض المصور أو يولي (أنت والولايات المتحدة الأمريكية) أو أمة أخرى

I (have/ have not) previously filed a claim relating to the incident described above.

أنا (أنا/ أنا) سبق لهم بطلب هذه الحادثة المشورة لأعلى

To the best of my knowledge, another claim (has/ has not) been filed relating to the incident described above.

بحسب علمي طبق نظام (تم/ لم يتم) لهذه الحادثة المذكورة بالأعلى

NOTE: BY SIGNING THIS FORM, YOU ARE MAKING THAT THE INFORMATION PROVIDED IN THIS CLAIM IS ACCURATE AND TRUE. ANYONE WHO ATTEMPTS TO FILE OR FILE A FUDULENT CLAIM AGAINST THE UNITED STATES IS SUBJECT TO PROSECUTION.

ملاحظة: بالتوقيع أسفل هذا التظلم لأن تتسبب على أن كل المعلومات المقدمة في التظلم كالتالي أو مبالغى أو يزور التظلم ضد حكومة الولايات المتحدة الأمريكية

(b)(6), Foreign Language Text

(b)(6)

Father of dead person

(b)(6)

(b)(6), Foreign Language Text

(Relationship of Claimant)

(توقيع: مثل) أرجاء كتابة الاسم والتوقيع

Language

Language

(b)(6), Foreign Language Text

(Signature of Witness)

(Printed Name)

(b)(6), Foreign Language Text

Death of Certificate

Foreign Language Text, (b)(6)

gn Language

Foreign Language Text, (b)(6)

language Te

(b)(6), Foreign Language Text

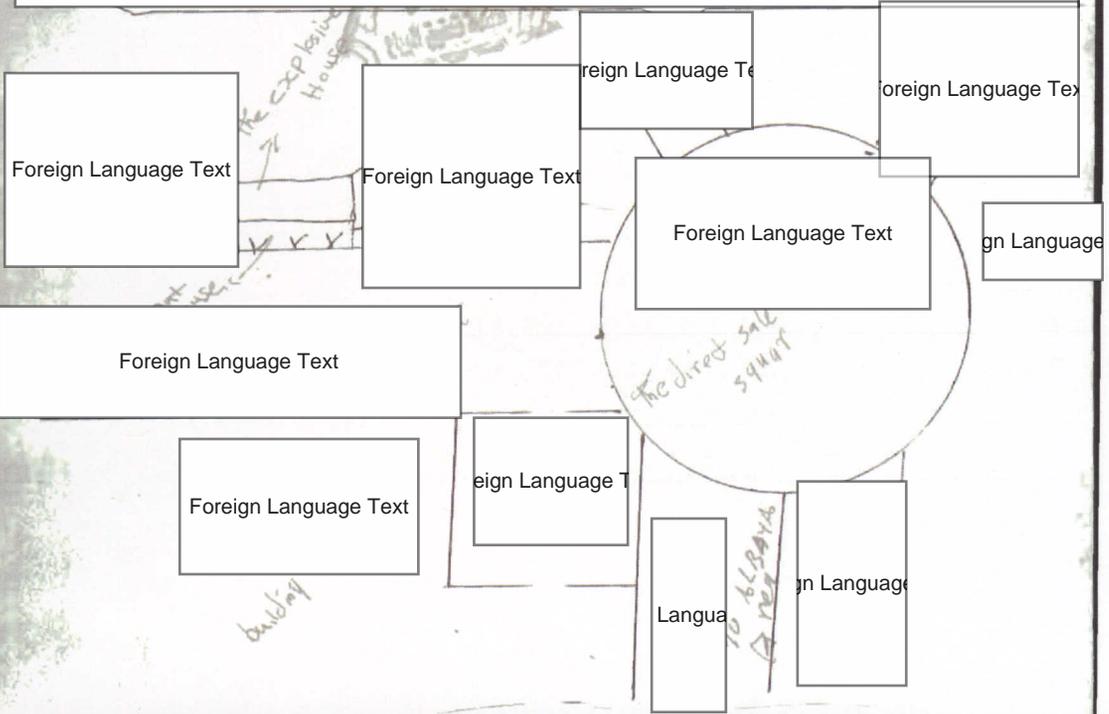
(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

Foreign Language Text

*The police examine the body
in hospital they saw her
in breach and there was also blood
coming out of her mouth*

Foreign Language Text, (b)(6)



Foreign Language Text, (b)(6)

witness

US forces exploded his neighbor house
ward and behind the claimant house and that
caused damage on the house due to his
daughter hit by wall and died.

(b)(6), Foreign Language Text

police report
examine carefully
and
to

(b)(6)

Foreign Language Text

Foreign Language Text, (b)(6)

Foreign Language Text

(b)(6), Foreign Language Text

(b)(6)

to stay
claiming US force
would be neighbor house
and his house and that
caused damage to his house
and the wall fell down
his daughter she died
she was 10 - and
mother

Foreign Language Text

(b)(6)

(b)(6), Foreign Language Text

(b)(6)

Foreign Language Text, (b)(6)

Police reports

(b)(6), Foreign Language Text

The claimant that his
Daughter was exposed to
An accident caused on killing
his daughter .

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

(b)(6), Foreign Language Text

Language

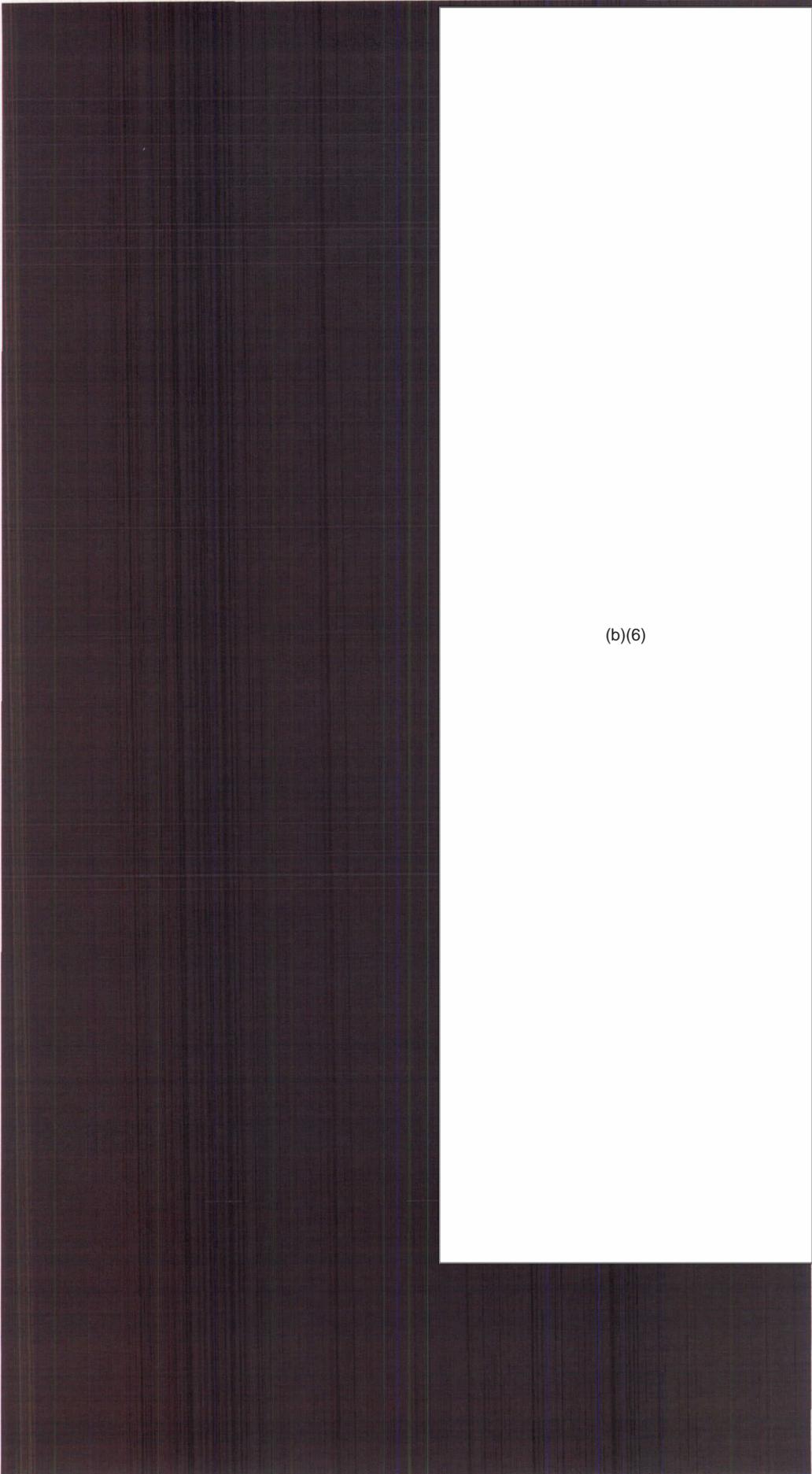
Foreign Language Text, (b)(6)

*his mem
Empoy
Distri*

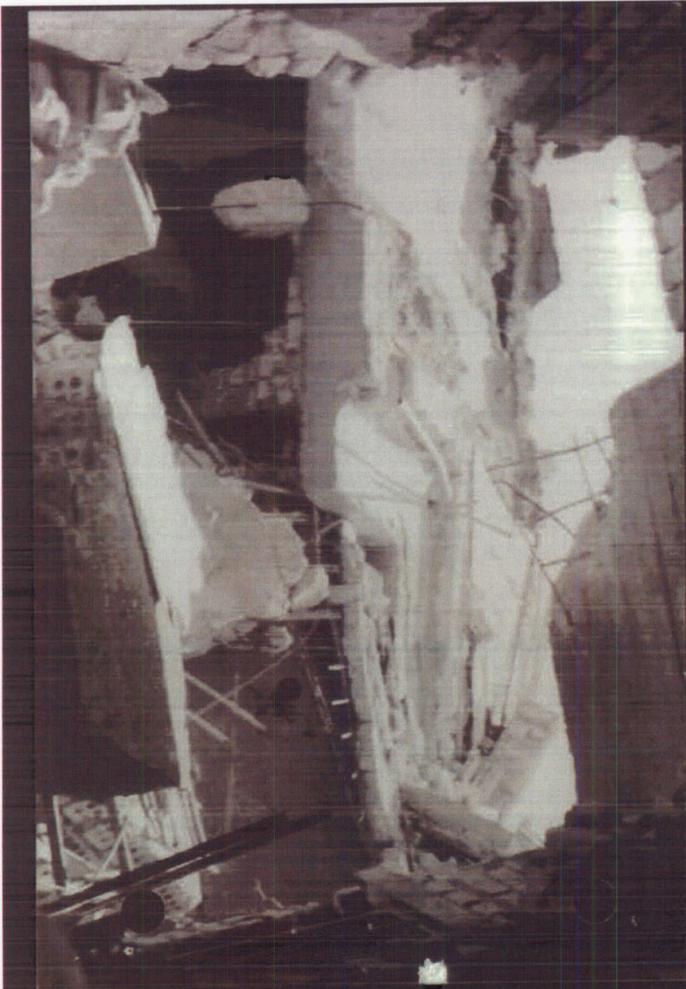
(b)(6), Foreign Language Text

08-192-T016-00027

CENTCOM 020252

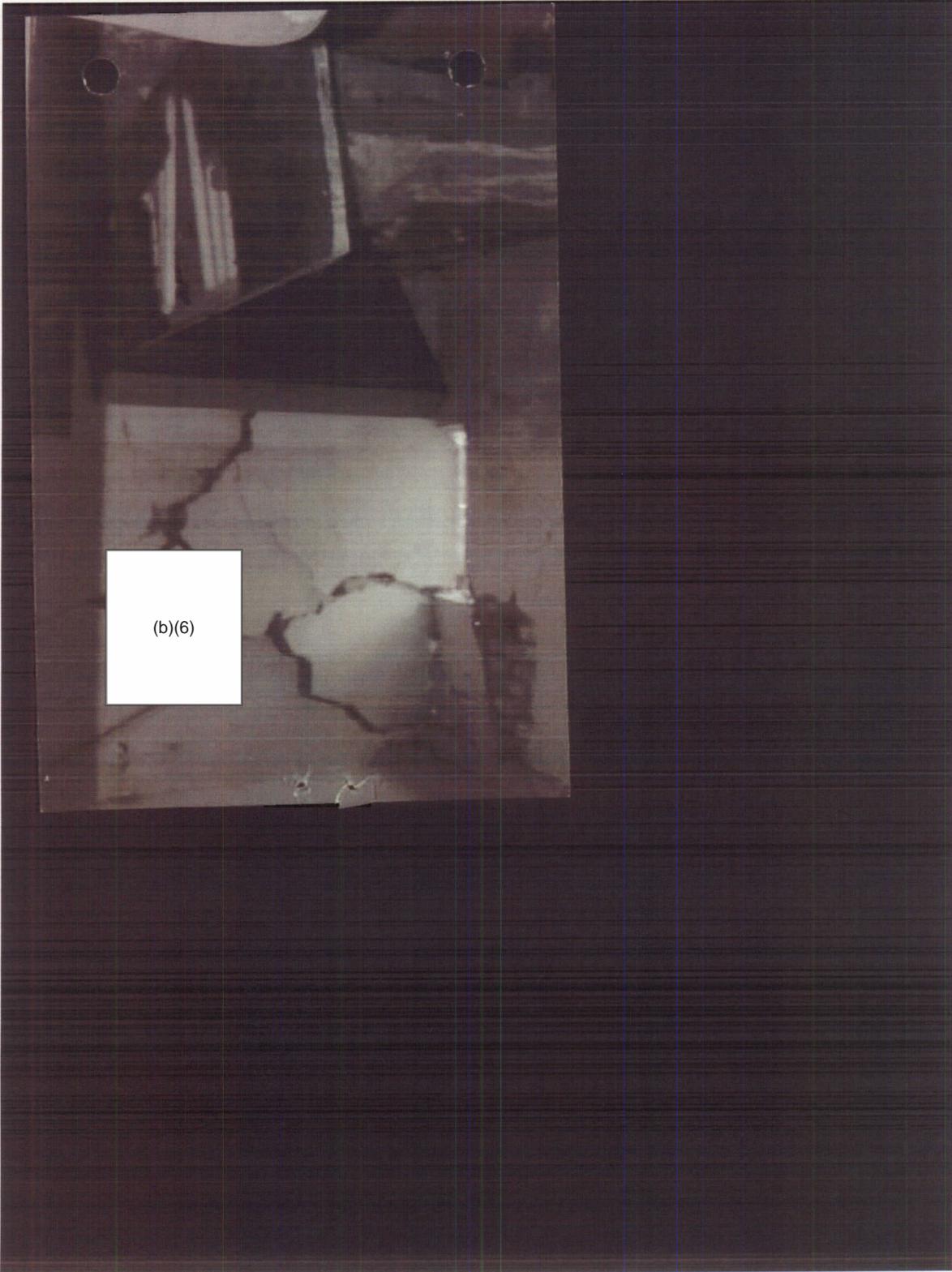


(b)(6)



CENTCOM 020254

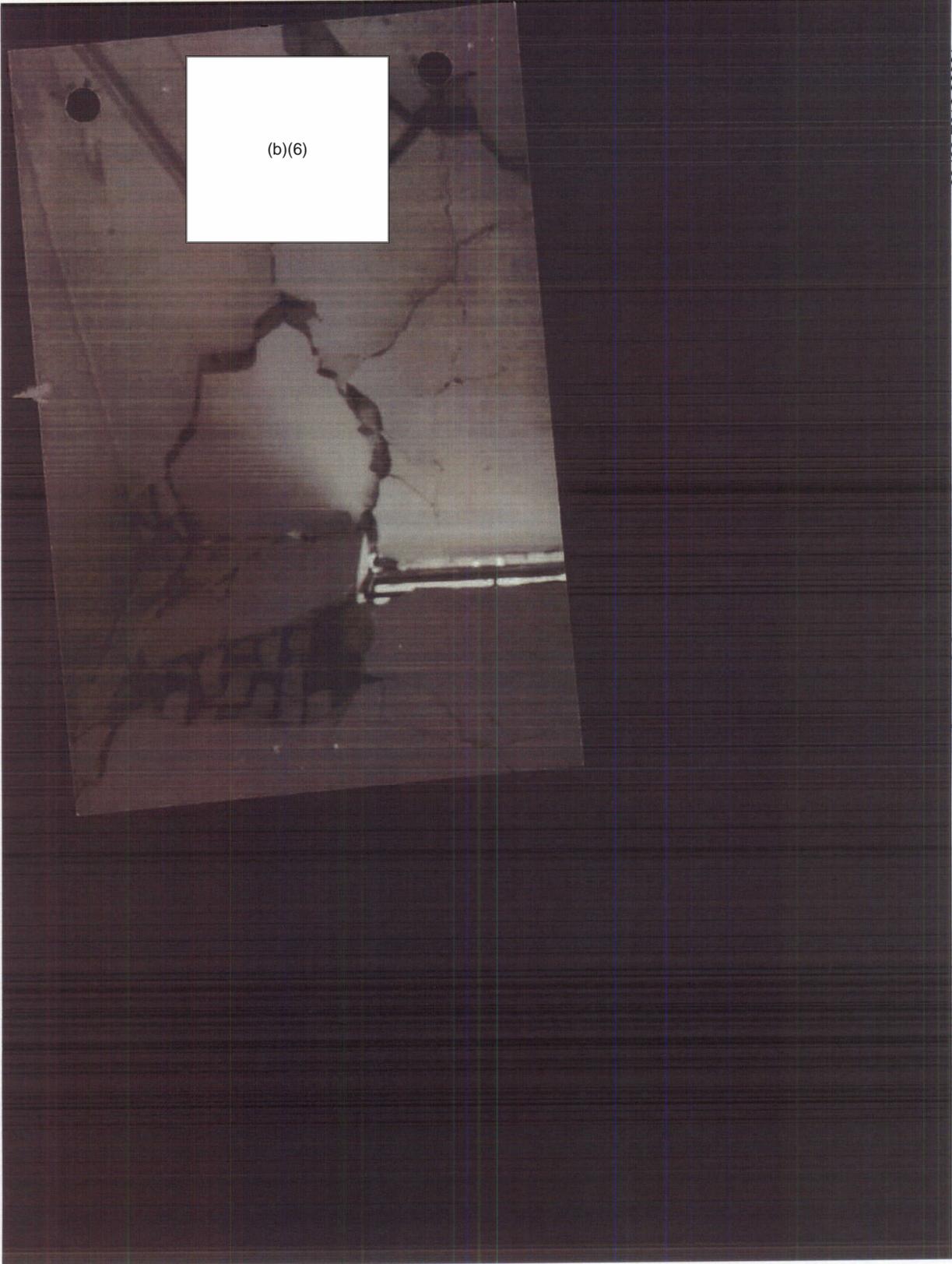
08-192-1016-00029



(b)(6)

08-192-T016-00030

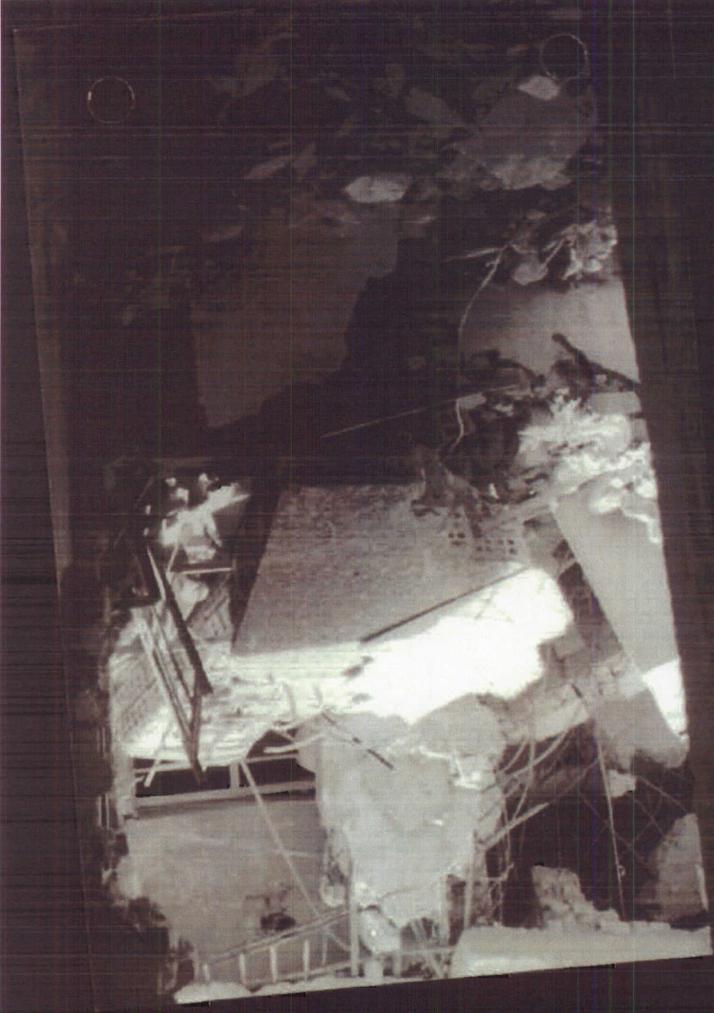
CENTCOM 020255



(b)(6)

08-192-1016-00031

CENTCOM 020256



CENTCOM 020257

08-192-T016-00032