



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

REPLY TO
ATTENTION OF:

APVR-SB-JA

MEMORANDUM FOR RECORD

SUBJECT: Condolence Claim 07-4/2-0070

1. RECIPIENT: (b)(6)
2. DATE OF INCIDENT: 2 September 2007
3. INCIDENT LOCATION: Dawajeen Village
4. DESCRIPTION: Claimant's son killed by Coalition Forces.
5. PAYMENT AMOUNT: \$2,500.00
6. POINT OF CONTACT: MAJ (b)(3)(b)(6), Brigade Judge Advocate at
(b)(3)(b)(6) @arcticwolves.army.mil.

I concur with the payment.

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

CPT, JA
Claims Judge Advocate

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

COL, IN
1/25 SBCT Commander

CENTCOM 007851



REPLY TO
ATTENTION OF:

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

AFZH-BA-JA

30 May 2008

MEMORANDUM FOR RECORD

SUBJECT: Condolence Claim #07-4-2-0070 for Death

1. RECIPIENT: (b)(6)
2. DATE OF INCIDENT: 2 September 2007
3. INCIDENT LOCATION: Dawajeen Village
4. DESCRIPTION: Claimant's son killed by Coalition Forces.
5. PAYMENT AMOUNT: \$2,500.00
6. POINT OF CONTACT: CPT (b)(3)(b)(6) Regiment Judge Advocate at
(b)(6), (b)(3) @us.army.mil.

I concur with the payment.

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

Claims Judge Advocate

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

f-
COL, IN
Commanding

CENTCOM 007852



DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH BRIGADE, 2D INFANTRY DIVISION
FOB WARHORSE, IRAQ APO AE 09336

Foreign Claims Commission

(b)(6)

SUBJECT: Claim # 07-4/2-0070

Dear Sir:

You have submitted a claim seeking compensation for the death of your son. 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 the death of your son. However, in accordance with the cited references and the investigation into your claim, your claim is not compensable. The reason(s) are indicated below.

Incomplete Evidence: There is not sufficient evidence to investigate your claim.

Combat Damage: After a search of records of the date in question, the evidence provided showed that your damages were the result of combat operation. Damages directly or indirectly related to combat operations are not compensable. Accordingly, your claim is denied. Based on the incident, I have recommended your claim for consideration under a different program which may compensate you for your loss. You will be notified once a decision under that program is made.

Lack of US Involvement: You have not provided a name or unit for the individuals who caused the damage you have claimed. Therefore, you have not provided sufficient evidence to show that the damage was caused by US Forces.

Lack of Causation: You have failed to show that the damage happened from the event you claimed.

Other/Notes: _____

Accordingly, your claim is denied.

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 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)

CPT, JA
Foreign Claims Commission

CENTCOM 007853



DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH BRIGADE, 2D INFANTRY DIVISION
FOB WARHORSE, IRAQ APO AE 09336

REPLY TO
ATTENTION OF:

AFZH-SB-JA

MEMORANDUM FOR Commander, 4th Brigade, 2d Infantry Division, FOB Warhorse, Iraq,
APO AE 09336

SUBJECT: Fiscal Review of CERP Condolence Payment – 07-4/2-0070

1. Conclusion. I have conducted a legal review of the request to pay a CERP condolence payment to (b)(6) for the death to his son. This request originally processed as a claim under the Foreign Claims Act (FCA); however, the U.S. Army denied the FCA claim because the damage resulted from a combat operation.

2. Condolence payments for Iraqi citizens are authorized for property damage caused by Coalition, US, and Iraqi Security Forces. Based on the documents submitted, including a claims card, there is some evidence suggesting US involvement in this incident. As such, you could make a finding that the property damage was caused by US Forces, and make a condolence payment to this individual within your discretion.

(b)(2)High

(b)(2)High

A condolence payment

is a symbolic gesture to express sympathy and to provide urgently needed humanitarian relief to the individual Iraqis and the Iraqi people in general.

4. The point of contact for this memorandum is the undersigned at DSN (b)(2)High

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

CPT, JA
Brigade Judge Advocate

CENTCOM 007854

In the name of God

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

Dear sir :

At 1:00 pm, 2 Sep. 2007, my son the victim((b)(6)

(b)(6) was killed in Zaghania region with his one relations
when he came back to his home, after he's emigrated by force, he not
knew about presentig the CF in one temporary check point, so they
shoted fires upon him & killed immedatly.

So I hope from your justice to help me as much as possi-
ble with 6000 USD about killed my son.

With thanks & respect...

Enclosures

1. Belived invest. papers.
2. Death certificate.
3. I.D documents.

Claimant

(b)(6)

(b)(6)

20 Nov. 2007

CENTCOM 007855