

# EXHIBIT B



# 1-69 CAV PATROL REPORT



PLT/TRP: 3/A

Patrol Leader: 1LT (b)(3)(b)(6)

Patrol Date: 27 May 2007

Task/Purpose: Area Recon

Mission: Area Recon IOT gain intel for future operations

SP: 1600 RP:0055

Routes: (b)(2)High

Villages/OPs/Stopping Points:

Troop Taskings:

S3/BTL CPT IRs:

FECC IRs:

S2 IRs:

## PATROL DEBRIEF

DEBRIEF TRACKING #:

**PL Narrative:** 3/A SP'd at 1600hrs and moved to (b)(2)High IOT recon future dismantled OP sights. The first sight we investigated was the (b)(2)High (b)(2)High This site only provides overwatch from (b)(2)High It will also be hard to conceal a dismount team during the day. There is an (b)(2)High Next we investigated a possible site IVO (b)(2)High This site is approximately (b)(2)High and provides overwatch from (b)(2)High (b)(2)High There is a berm that provides (b)(2)High and (b)(2)High Shortly after checking out this site, we noticed a LN standing on his roof IVO (b)(2)High While moving to check him out, we noticed a command wire running east and west along a canal IVO (b)(2)High We determined the command wire was from a previous IED and policed up as much as we could. We were unable to move to the house with the LN on the roof due to a canal in the way so we CM'd back to (b)(2)High At 1820hrs, we discovered a command wire IED running from (b)(2)High (b)(2)High toward a shack IVO (b)(2)High The shack has been a historic IED trigger point. The A-32 truck observed a LN, wearing a tan mandress displace from the shack and run west toward a white Bongo truck and another white pickup truck IVO (b)(2)High At this time the A-34 vehicle engaged the triggerman with the (b)(2)High He appeared to drop but was most likely picked up by other LN's. Shortly after this, White platoon moved to our location. At 1830hrs, dismounts from Blue and White began moving across the field west of the IED. When the dismounts were IVO (b)(2)High we began receiving steady small arms and machine gun fire fro the NW. A-section moved to and cleared the shack where the LN was seen running from, while B-section covered

the northern flank. While we were in the house, we observed a grey sedan moving from west to east on RTE (b)(2)High. A-section's dismounts fired warning shots and then fired into the vehicle when it did not stop. We later discovered (b)(6) dead and his brother (b)(6) who was unarmed. A-section's and White platoon's dismounts then moved from the house and moved to the area of the white bongo truck and the white pickup (b)(2)High. We also observed a possible 2 IED's IVO (b)(2)High. There were piles of rocks on both sides of the road along with white plastic bags underneath them. As we approached the trucks, we began receiving small arms and machine gun fire from the NW. After the firing stopped, we cleared the objective. In the white pickup was an RPG launcher, G-3, video camera, several cell phones, a box of 7.62 rounds, and a briefcase containing handcuffs, documents, dinar, and several ID's. In the bongo truck was a spool of copper wire, and some sort of large rocket propellant with serial number (b)(2)High. At 2000hrs, just after clearing the bongo truck, we conducted EOF on a white bongo truck moving from east to west down (b)(2)High. The driver (unknown name) was struck in the chest before his bongo truck came to a rest 25m from our position. Shortly after this, we conducted another EOF on a white Chevy pickup truck moving from west to east on (b)(2)High. The driver stopped his vehicle IVO (b)(2)High and fled to the south. Inside his vehicle, White platoon found a 9mm pistol. At 2020hrs, a medevac request was sent for the wounded LN. At 2130hrs, he was passed off to 3/C for ground medevac to Camp Cropper. At 2300hrs, we moved off the objective and back to (b)(2)High. We were only able to remove 1 vehicle from the objective due to the others being unserviceable. B-section moved to CP 38 IOT provide overwatch on the possible IED's and A-section moved to CP 40 IOT check on 3 DUSTWUN related grids. The grids were (b)(2)High. Nothing significant was observed and we moved back to CP 38 at 2400hrs. At 2400hrs, we received word that EOD will not move off (b)(2)High after dark and that the IED will be cleared at a later date. We then moved back to Striker and RP'd at 0050hrs, along with 1 LN pickup truck.

### Craters/PotHoles

Crater #	Grid	Dimensions

### LN Tips Received During Patrol

Name	Location	Tip

# 1-89 CAV PATROL DEBRIEF: EVENT SUMMARY

PLT/TRP: 3/A

Patrol Leader: 1LT [redacted] (b)(3)(b)(6)

Patrol Date: 27 May 2007 (b)(6)

Task/Purpose: Area Recon

Mission: Area Recon IOT gain intel for future operations

SP: 1600

RP:0055

Routes: [redacted] (b)(2)High

- **PL Narrative:** 3/A SP'd at 1600hrs and moved to [redacted] IOT recon future dismantled OP sights. The first sight we investigated was the [redacted] This site only provides overwatch for [redacted] It will also be hard to conceal a dismant team during the day. [redacted] Next we investigated a possible site IVO [redacted] This site is approximately [redacted] and provides overwatch from [redacted] There is a berm that provides cover and concealment from [redacted] and a [redacted] to the rear that provides concealment to the west. Shortly after checking out this site, we noticed a LN standing on his roof IVO [redacted] While moving to check him out, we noticed a command wire running east and west along a canal IVO [redacted] We determined the command wire was from a previous IED and policed up as much as we could. We were unable to move to the house with the LN on the roof due to a canal in the way so we CM'd back to [redacted] At 1820hrs, we discovered a command wire IED running from [redacted] toward a shack IVO [redacted] The shack has been a historical IED trigger point.
- The A-32 truck observed a LN, wearing a tan mandress, displace from the shack and run west toward a white Bongo truck and another white pickup truck IVO [redacted] At this time the A-34 vehicle engaged the triggerman with the [redacted] He appeared to drop but was most likely picked up by other LN's. Shortly after this, White platoon moved to our location.
- At 1830hrs, dismants from Blue and White began moving across the field west of the IED. When the dismants were IVO [redacted] we began receiving steady small arms and machine gun fire from the NW. A-section moved to and cleared the shack where the LN was seen running from, while B-section covered the northern flank.
- While we were in the house, we observed a grey sedan moving from west to east on RTE [redacted] A-section's dismants fired warning shots and then fired into the vehicle when it did not stop. We later discovered [redacted] dead and his brother [redacted] who was unharmed.
- A-section's and White platoon's dismants then moved from the house and moved to the area of the white bongo truck and the white pickup [redacted] We also observed a possible 2 IED's IVO [redacted] There were piles of rocks on both sides of the road along with white plastic bags underneath them. As we approached the trucks, we began receiving small arms and machine gun fire from the NW. After the firing stopped, we cleared the objective.
- In the white pickup was an RPG launcher, G-3, video camera, several cell phones, a box of 7.62 rounds, and a briefcase containing band-aids, documents, dinar, and several ID's. In the bongo truck was a spool of copper wire, and some sort of large rocket propellant with [redacted]
- At 2000hrs, just after clearing the bongo truck, we conducted EOF on a white bongo truck moving from [redacted] The driver (unknown name) was struck in the chest before his bongo truck came to a rest 25m from our position. Shortly after this, we conducted another EOF on a white Chevy pickup truck moving from west to east on [redacted] The driver stopped his vehicle IVO [redacted] and fled to the south.
- Inside his vehicle, White platoon found a 9mm pistol. At 2020hrs, a medevac request was sent for the wounded LN. At 2130hrs, he was passed off to 3/C for ground medevac to Camp Cropper. At 2300hrs, we moved off the objective and back to [redacted] We were only able to remove 1 vehicle from the objective due to the others being unserviceable. B-section moved to CP 38 IOT provide overwatch on the possible IED's and A-section moved to CP 40 IOT check on 3 DUSTWUN related grids.
- The grids were [redacted] Nothing significant was observed and we moved back to CP 38 at 2400hrs. At 2400hrs, we received word that EOD will not move on [redacted] after dark and that the IED will be cleared at a later date. We then moved back to Striker and RP'd at 0050hrs, along with 1 LN pickup truck.

005454

# EXHIBIT C

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: FOB Striker, Iraq
2. DATE: 2007/05/29
3. TIME: 1500hrs
4. FILE NUMBER: (b)(3)(b)(6)
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(3)(b)(6)
6. SSN: (b)(3)(b)(6)
7. GRADE/STATUS: 0-2/ Active
8. ORGANIZATION OR ADDRESS: 3/A/1-89 Cav, 2BCT, 10th Mtn Div (LI)

9. I, (b)(3)(b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
At 1820hrs on 27 May 2007, 3/A/1-89 was conducting an area recon when we discovered a command wire IED running from (b)(2)High toward a shack IVO (b)(2)High. The shack has been a historic IED trigger point. The A-32 truck observed a LN, wearing a tan mandress displace from the shack and run west toward a white Bongo truck and another white pickup truck IVO (b)(2)High. At this time the A-34 vehicle engaged the triggerman with the (b)(2)High. He appeared to drop but was most likely picked up by other LN's. Shortly after this, 2/A/1-89 moved to our location. At 1830hrs, dismounts from Blue and White began moving across the field west of the IED. When the dismounts were IVO (b)(2)High we began receiving steady small arms and machine gun fire from the northwest. A-section, consisting of 1LT (b)(3), (b)(6) SGT (b)(3)(b)(6) (b)(3)(b)(6) and SGT (b)(3)(b)(6) moved to and cleared the shack where the LN was seen running from, while B-section covered the northern flank. SGT (b)(3)(b)(6) and SGT (b)(3)(b)(6) moved to the roof. While at the house, we observed a grey sedan moving very fast from west to east on RTE (b)(2)High. SF (b)(3)(b)(6) who was with B-section, notified A-section VIA MBTR that the grey sedan was coming from the vicinity of small arms and machine gun fire we were receiving. SGT (b)(3)(b)(6) and SGT (b)(3)(b)(6) fired warning shots at the vehicle and then fired at the vehicle when it did not stop. After it continued moving they fired into the vehicle until it stopped IVO (b)(2)High. After moving up to the grey sedan, SGT (b)(3)(b)(6) and SGT (b)(3)(b)(6) confirmed the driver (b)(6) (b)(6) was dead as a result of a gunshot wound to the neck and his brother (b)(6) who was unharmed. A-section's and White platoon's dismounts then moved from the house and moved to the area of the white bongo truck and the white pickup (b)(2)High which the LN in the tan mandress was seen running to. We also observed a possible 2 IED's IVO (b)(2)High. There were piles of rocks on both sides of the road along with white plastic bags underneath them. As we approached the trucks, we again received small arms and machine gun fire from the northwest. After the firing stopped, we cleared the objective. In the white pickup was an RPG launcher, G-3, video camera, several cell phones, a box of 7.62 rounds, and a briefcase containing handcuffs, documents, dinar, and several ID's. In the bongo truck was a spool of copper wire, and some sort of large rocket propellant with serial number (b)(6). At 2000hrs, just after clearing the bongo truck, we conducted EOF on a white bongo truck moving from east to west down (b)(2)High. SGT (b)(3)(b)(6) who was pulling rear security fired warning shots at the vehicle as it sped past the grey sedan and continued toward our position IVO (b)(2)High. At this point we fired warning shots at the vehicle and then fired to disable the vehicle. The vehicle continued moving until we fired into the cab, wounding the driver. The driver (unknown name) was struck in his right rib before his bongo truck came to a rest 25m from our position. PFC (b)(3)(b)(6) 3/A's medic, moved to the wounded LN and began treatment. He stabilized the LN before preparing him for evacuation. Shortly after this, we conducted another EOF on a white chevy pickup truck moving from west to east on (b)(2)High. The driver and occupants stopped the vehicle IVO (b)(2)High and fled on foot to the south. Inside this vehicle, White platoon found a 9mm pistol. At 2020hrs, a medevac request was sent for the wounded LN. Air medevac was grounded forcing us to prepare the LN for ground evacuation. At 2130hrs, the wounded LN was passed off to 3/C for ground medevac to Camp Cropper. At 2300hrs, we moved off the objective and back to (b)(2)High. Nothing further.

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

10. EXHIBIT: (b)(3)(b)(6) C
11. INITIALS OF PERSON MAKING STATEMENT: (b)(3)(b)(6)
PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

9. STATEMENT (Continued)

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

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

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

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

AFFIDAVIT

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

I, (b)(3)(b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

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

(Signature of Person Making Statement)

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, on this 20th day of May, 2007

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

(Typed Name of Person Administering Oath)

CPT, IN

PSG 3/A/1-89 CAU  
ORGANIZATION OR ADDRESS  
3/A/1-89 CAU  
APO AE 09322  
CAMP STRIKER, TRAW  
ORGANIZATION OR ADDRESS

Article 136 B(4)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

ARW

PAGE 2 OF 2 PAGES

# EXHIBIT D

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: CAMP STRIKER
2. DATE (YYYYMMDD): 2007-05-29
TIME: 1830
4. FILE NUMBER:
5. LAST NAME FIRST NAME MIDDLE NAME: (b)(3)(b)(6)
6. SSN: (b)(3)(b)(6)
7. GRADE/STATUS: E-7 / P5G
8. ORGANIZATION OR ADDRESS: 3RD PLT, A TRPT, 1-89 CAV

9. I, SPC (b)(3)(b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
ON 27 MAY 07 3RD PLATOON ALPHA TROOP CONDUCTED AN AREA RECON
ALONG (b)(2)High TO IDENTIFY POSSIBLE CP POSITIONS, VIC CP38
AT GRID (b)(2)High ALPHA 32 IDENTIFIED AN IED IN THE SOUTH
BOUND LANE. BRAVO SECTION POSITED TO THE FAR SIDE TO PROVIDE
OBSERVATION. A UN MALE WAS IDENTIFIED RUNNING FROM A
KNOWN TRIGGER POINT AND ENGAGED AFTER THIS ENGAGEMENT
WHITE PLATOON ARRIVED ON SITE AND WE CONSOLIDATED
DISMOUNTS TO MANEUVER ON THE INDIVIDUAL. WHILE CONDUCTING
A BOUNDING OVERWATCH THE ELEMENT RECEIVED DIRECT
FIRE FROM A MACHINE GUN AND OTHER WEAPON SYSTEMS.
THE ELEMENT RETURNED FIRE WITH BRAVO SECTION PUSHING
NORTH WEST TO PROVIDE COVER FROM THE PLATOON. ABOUT
THIS TIME THE FIRST COP ON THE SILVER SEDAN. THE
SOLDIERS FIRED FIRST WARNING SHOTS, THEN INTO THE LEFT
FRONT TIRE, AND FINALLY TO DISABLE. THIS VEHICLE TRAVELED
FROM WEST TO EAST AND TRAVELED BY WAY OF THE ROADWAY
FIRE. AS THE COP WAS CONDUCTED OUR ELEMENT WAS STILL
RECEIVING DIRECT FIRE. OUR ELEMENT CONTINUED TO ASSAULT
ACCESS TOWARD A WHITE PICKUP AND WHITE BEUGO VIC GRID
(b)(2)High AND (b)(2)High ALPHA SECTION AND
WHITE ELEMENT CLEARED THE FIRST VEHICLE DISCOVERING
A G-3, RPG LAUNCHER, BRIEF CASE, AND LRET, AND ASSORTED
AMMUNITIONS. THEY MOVED ON TOWARD THE WHITE BEUGO. THIS
IS WHERE THE SILVER SEDAN WAS CLEARED. TWO UN MALES
WERE DISCOVERED THE DRIVER WAS UNHURT AND THE PASSENGER
WAS KIA. THIS WAS VERIFIED BY SGT (b)(3)(b)(6) AND SGT (b)(3)(b)(6)

10. EXHIBIT: D
11. INITIALS OF PERSON MAKING STATEMENT: (b)(3)(b)(6)
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT TAKEN AT DATED
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER
MUST BE BE INDICATED.

STATEMENT OF (b)(3)(b)(6) TAKEN AT 183rd (b)(3)(b)(6) DATED 2007-05-29 (b)(3)(b)(6)

9. STATEMENT (Continued)

MY MEDIC AND I WERE ON THE FAR RIGHT FLANK AND STILL RECEIVING FIRE, I DECIDED TO NOT RISK PFC (b)(3)(b)(6) LIFE. HE WOULD HAVE HAD TO RUN THROUGH AN OPEN FIED ZONE WHILE UNDER FIRE, WITH THE OBJECTIVE STILL UNSURE. THE DRIVER WAS POSITIONED ON THE GROUNDS WITH SECURITY, THE REST OF THE ELEMENT CONTINUED TO ASSAULT CLEARING THE WHITE BOMB. THIS IS WHERE THE 2ND ROT HAPPENED. A WHITE BOMB APPROACHED FROM EAST TO WEST FROM CP38 ON PFC (b)(2)High AT A HIGH RATE OF SPEED, HE PASSED THE SILVER SEDAN AND THE SECURITY ELEMENT FIRED WARNING SHOTS, FIRED TO DISABLE AND THEN THE FIRED TO ELIMINATE THE THREAT. SSG (b)(3)(b)(6) CONTACTED ME ON THE RIGHT FLANK AND INFORMED ME WE HAD A WIA, WE NOW HAD THE OBJ SECURE. I SENT SGT (b)(3)(b)(6) WITH PFC (b)(3), (b)(6) TO TREAT THE WIA. I INITIATE A 9 LINE AND WAS INFORMED MEDICAL WAS NOW AND NEEDED TO MOVE THE WIA TO (b)(2)High PFC (b)(3)(b)(6) STABILIZED AND BEGAN TRANSPORT OF THE WIA. MEAN WHILE WE WERE STILL RECEIVING SPORADIC FIRE. SOME TIME IN HERE IS WHERE THE THIRD ROT WAS CONDUCTED. A WHITE CHEVY PICKUP APPROACHED FROM WEST TO EAST, WARNING SHOTS WERE FIRED AND THEN DISABLED. THREE INDIVIDUALS RAN FROM THE VEHICLE, NO WEAPONS WERE PID AND NO CHASE WAS GIVEN, A 9MM HAND GUN, LOADED WAS DISCOVERED IN THE VEHICLE. NO MORE FIRE WAS TAKEN WE HAD EVACUATED THE WIA AND BEGAN TO RECONSOLIDATE TO MOVE OFF THE OBJECTIVE, ONCE WE HAD 100% MORE OF MY PLATOON AND WHILE WE BEGAN OUR MOVE MOST BACK TOWARD (b)(2)High MY PLATOON REMAINED IN PLACE TO COVER WHITE PLATOON UNTIL THEY WERE BACK VIC (b)(2)High ONCE THEY LINKED UP WITH THEIR PLATOON

INITIALS OF PERSON MAKING STATEMENT (b)(3)(b)(6) PAGE 2 OF 3 PAGES

STATEMENT OF SFC (b)(3)(b)(6) TAKEN AT 1945 DATED 29 MAY 07

9. STATEMENT (Continued)

WE MOVED BACK TO (b)(2)High FOR A FOLLOW ON MISSION. AT ALL TIMES MY PLATOON AND WHITE HAD ACCOUNTABILITY OF OUR ELEMENTS AND MAINTAINED COMMUNICATION WITH ONE ANOTHER. THE PLATOON COMPLETED ITS FOLLOW ON MISSION AND RP AT APPROXIMATELY 0130 ON 28 MAY 07, WITH THE WHITE CHEVY PICK UP AND CONFISCATED MATERIALS FROM CBS VEHICLES. THE IED BOA WAS 2 X 130MM ROUNDS AND 5 POUNDS OF EXPLOSIVES. THE WIA WAS TREATED FOR A BACKBONE RIB.

~~NOTHING TO FOLLOW~~

AFFIDAVIT

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

I, SFC (b)(3)(b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29 day of MAY, 07 at CAMP STRICER

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

CPT, IN

PL 3/A/1-89 CAU  
ORGANIZATION OR ADDRESS

3/A/1-89 CAU  
VPO AE 09372  
CAMP STRICER, IRAQ  
ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

Article 136614  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(3)(b)(6)

# EXHIBIT E

### SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

#### PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).  
**PRINCIPAL:** To provide commanders and law enforcement officials with means by which information may be accurately identified.  
**ROUTINE USES:** Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.  
**DISCLOSURE:** Disclosure of your social security number is voluntary. (b)(3)(b)(6)

1. LOCATION <i>Camp Striker</i>	2. DATE (YYYYMMDD) <i>2007 05 29</i>	3. TIME <i>1919</i>	4. FILE NUMBER <i>(b)(3)(b)(6)</i>
5. LAST NAME FIRST NAME MIDDLE NAME <i>(b)(3)(b)(6)</i>	6. GRADE/STATUS <i>(b)(3)(b)(6)</i>	7. GRADE/STATUS <i>E-5 / SGT</i>	
8. ORGANIZATION OR ADDRESS <i>3/A/1-89 CAV APO AE 09322, CAMP STRIKER, IRAQ</i>			

9. I, *(b)(3)(b)(6)*, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
*3rd Platoon Alpha 1-89 CAV we were traveling North on*  
*(b)(2)High* ~~when~~ *Alpha section discover a IED on the south bond lane*  
*Grid (b)(2)High* *we maneuver Bravo section over to the North bond*  
*lane were we saw the trigger man start running to the south*  
*we engage the trigger man, so we dismounted and started heading*  
*west. about 200 meter into are movement we started to take direct*  
*fire from the west. we return fire and Bravo section began to*  
*flank. The enemy stop shooting for a couple off minutes. Then a vehicle*  
*was coming from the west on route (b)(2)High from where we were*  
*taking fire from. The vehicle was heading east. Alpha section went*  
*through its escalation of force then the vehicle finally stop. Shortly*  
*right after the vehicle stop we started to receive fire from the west*  
*again we return fire and continue to maneuver on the Enemy. we reach the*  
*objective and we found a RPG & G3, ammunition we set up security. A*  
*Bongo truck was coming from the East on route (b)(2)High heading west and*  
*again Alpha section went through its escalation of force then the vehicle*  
*stop when it stop to soldiers check the vehicle and seen that the*  
*Driver was wounded they immediately started to perform first aid. The medic*  
*arrive shortly there after and began to help the man. Then they check on*  
*the other vehicle and seen that the man on the other vehicle was*

10. EXHIBIT <i>E</i>	11. INITIALS OF PERSON MAKING STATEMENT <i>(b)(3)(b)(6)</i>	PAGE 1 OF <i>3</i> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

STATEMENT OF (b)(3)(b)(6) TAKEN AT (b)(3)(b)(6) DATED 29 May 07 (b)(3)(b)(6)

9. STATEMENT (Continued)

already dead. So the soldiers return we had security set up. While treating the wounded we took some more small arms fire and then it stop. So we medicate the wounded we took the weapons and the ammo and one vehicle. The other two vehicles that the Insurgents used were left because they could not be towed and the engines did not start.

*Nothing follows*  
*Nothing follows*  
*Nothing follows*  
*Nothing follows*

INITIALS OF (b)(3)(b)(6) KING STATEMENT

9. STATEMENT (Continued)

*Not used*  
*Not used*  
*Not used*  
*Not used*

AFFIDAVIT

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

I, (b)(3)(b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

(b)(3)(b)(6)  
(Signature of Person Making Statement)

WIT: (b)(3)(b)(6)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29 day of MAY, 07 at CAMP STRICKER

3/17/1-89 CAU  
ORGANIZATION OR ADDRESS

(b)(3)(b)(6)  
(Typed Name of Person Administering Oath)

3/17/1-89 CAU  
APO AE 09322  
CAMP STRICKER, IRAQ  
ORGANIZATION OR ADDRESS

EPT, IN  
Article 136 B(4)  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT  
(b)(3)(b)(6)

# EXHIBIT F

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
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ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Camp Stryker, Iraq APO AE 09322
2. DATE (YYYYMM): 2007/05/30
3. TIME: 0330
4. FILE NUMBER: (b)(3)(b)(6)
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(3)(b)(6)
6. SSN: (b)(3)(b)(6)
7. GRADE/STATUS: 0-2/Active

8. ORGANIZATION OR ADDRESS: A Troop, 1-89 CAV (RECON), 2BCT, 10TH MTN (LI)

9. I, (b)(3)(b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On (b)(2)High MAY07, 3/A/1-89 reported that they discovered a command wire IED in the southbound lane of MS (b)(2)High (b)(2)High. The patrol PID a LN male wearing a tan dishdasha who egressed from the shack located to west at (b)(2)High in a field. The local national male moved to a White Kia Bongo and another white pickup truck at (b)(2)High. 3/A PID this male as the IED triggerman and engaged him with their A-34 vehicle. At this point, 2/A/1-89 was located to the east of 3/A's location and moved to assist them. 2/A with six dismounts along with 3/A's A section dismounted into the field where the shack was located. 3/A's Bravo section covered the northern flank to protect the other dismounts as they moved through the field. While maneuvering through the field both elements came under SAF from the northwest. The dismounts from 2/A and 3/A's Alpha section moved to the shack (b)(2)High. During the engagement a grey Sedan moved from west to east along Route (b)(2)High. SSG (b)(3)(b)(6) and SGT (b)(3)(b)(6) who were with 3/A's Alpha section followed the appropriate Escalation of Force and fired warning shots to stop the vehicle. The vehicle failed to stop and was further escalated upon. As a result (b)(6) was killed and his brother (b)(6) was not harmed.

After assaulting through the field 3/A's Alpha section and 2/A's dismounts moved to the White Kia Bongo and the white pickup truck at (b)(2)High. In the white pickup an RPG Launcher, a G3, video camera, cellphones, a box of 7.62 rounds and a brief case with documents, IDs, handcuffs and Dinars were discovered. In the Bongo truck a spool of copper wire, and a rocket propellant with the serial number (b)(6) were discovered as well. After the the evidence had been removed from the Bongo truck another Escalation of Force occurred on a White Bongo truck at (b)(2)High. This truck moved from the east to the west through the objective area on Route (b)(2)High at a high rate of speed. The driver of the vehicle field to ignore signs to stop. Warning shots were fired by SGT (b)(3)(b)(6) but were ignored by the driver. The vehicle's driver was struck in the chest and was provided medical treatment by 3/A's medic PFC (b)(3)(b)(6). The LN was then CASEVACd to Camp Cropper by 3/C/1-89. After this an Escalation of Force was conducted on a white Chevy pickup truck moving from West to East along the objective area along Route (b)(2)High. The vehicle came to a halt at (b)(2)High after the warning shots were fired. The vehicle's occupants fled to the south and left behind a 9mm pistol in the Chevy truck. At 2300 hours 3/A and 2/A reconsolidated and reorganized their forces and moved off the objective area.

Nothing Follows

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

10. EXHIBIT: F
11. INITIALS OF PERSON MAKING STATEMENT: (b)(3)(b)(6)
PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

# EXHIBIT G

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Camp Striker
2. DATE (YYYYMMDD): 20070529
3. TIME: 1849
4. FILE NUMBER: (b)(3)(b)(6)
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(3)(b)(6)
6. SSN: (b)(3)(b)(6)
7. GRADE/STATUS: E-6
8. ORGANIZATION OR ADDRESS: 3rd PLT A-TRP 1-89 Cav

9. I, (b)(3)(b)(6), on 27 May 08 app 1830, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
3rd PLT A-TRP 1-89 Cav was travelling North on (b)(2)High in the south bound lane, when my truck spotted a IED in the south bound lane. when I spotted it we called bravo section in the North bound lane to a better spot to observe for any trigger men, he spotted 1 AIF come out of a abandoned house were trigger men have used before, when the AIF seen us he took off running to a white bongo truck, and a white pick-up truck. Those two vehicles have been seen before around the same spot were previous IED's have been. The blue 41 vehicle engaged the AIF with 50 cal. The AIF fell and we lost visual of him. We then dismounted, with white platoon. Bravo section move to the flank, on the North side. with these vehicles, Alpha section and white platoon, moved to link up with bravo section when we linked up, we moved east to west across the field, in a bounding overwatch movement to the house, and the two vehicles, about 200 meters east of the house we took direct fire from the northwest, we returned fire and kept moving the northwest, we returned fire and kept moving Bravo section moved along the berm on the north side. Alpha section moved up to the house and secured the house, when we moved

10. EXHIBIT: G
11. INITIALS OF PERSON MAKING STATEMENT: (b)(3)(b)(6)
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

STATEMENT OF (b)(3)(b)(6) TAKEN AT M22 DATED 29 May 07

9. STATEMENT (Continued)

to the house we took more direct fire, from the north west, while that was happening a grey sedan was moving from west to east on Rte (b)(2)High, Bravo called it up. And myself and SGT (b)(3)(b)(6) were on the roof of the house SGT (b)(3)(b)(6) fired a couple of warning shots, the sedan kept moving he fired a disabling shot to the left front tire, sedan still kept going, then he shot the driver to stop the vehicle, the passenger got out and put his hands up. We told him to get on the ground. And he did we then moved over to the car when SGT (b)(3)(b)(6) went to the car, and seen that there was 1 LN Kia, he checked his vital signs, and he was KIA so then we continued to clear the objective, we had one soldier pull security on the local national we got about 75 meters from the 2 vehicles and we took direct fire from the northwest again. We returned fire after we cleared. The first vehicle we found 1 G3 rifle, RPG Launcher, a briefcase with cellphones, and ID's, a box of ammo, with about 41 magazines, right after that we had a bongo truck come from east to west on Rte (b)(2)High at a high rate of speed, the soldier pulling rear security shot warning shots at the truck but he continued around the grey sedan, so we turned and disabled the truck with 5.56. after that the driver got out with his hands up come over to us, and he had been wounded, so SGT (b)(3)(b)(6) and PFC (b)(3)(b)(6) went over to assist him, I called SFC (b)(3)(b)(6) and sent the medic over, and the medic treated him when then moved him to SFC (b)(3)(b)(6)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF

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

TAKEN AT

1922

DATED

29 May 07

9. STATEMENT (Continued)

truck, were he casevac, because medevac was down for weather reason, SFC (b)(3)(b)(6) turned him to crazyhorse blue. About 10 min later another white pick-up came from west to east on Rte (b)(2)High. We shot warning shots at them and they still came, so we shot to disable, they stopped and got out and fled to the south west after that we searched the original white bongo and found a spoil of copper wire, then went to the pick-up truck and found a loaded 9mm pistol. We then moved the chevvy pick-up truck to Rte (b)(2)High and brought it back to camp striker

nothing follows

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

AFFIDAVIT

I, (b)(3)(b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE \_\_\_\_\_. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

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

(Making Statement)

WIT

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 29 day of May, 07 at CAMP STRIKER

PSG 3/A/1-89 CWV  
ORGANIZATION OR ADDRESS

3/A/1-89 CWV  
APO AE 09322  
CAMP STRIKER, IRAQ  
ORGANIZATION OR ADDRESS

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

CPT, IN

(Typed Name of Person Administering Oath)

Article 136 b (4)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

# EXHIBIT H

# ROE ROUNDTABLE

## *LOAC FUNDAMENTAL PRINCIPLES*

- ***MILITARY NECESSITY:*** Can only strike or capture targets that offer a definite military advantage due to their nature, location, purpose, or use
- ***DISCRIMINATION:*** Requires that ALL attacks be directed only at combatants and military objectives. At ALL times, MUST distinguish between combatants and non-combatants
- ***PROPORTIONALITY:*** Cannot engage if the collateral damage will be excessive compared to the military advantage anticipated by striking the target
- ***UNNECESSARY SUFFERING:*** Prohibits use of arms that are calculated to cause unnecessary suffering. All U.S. weapons are authorized if used properly. Not authorized to use privately owned weapons, or to tamper with or alter issued weapons or ammunition. If permitted to use deadly force, may use any proportional means available; not limited to particular type of weapon for particular type of target

# ROE ROUNDTABLE

## *ROE REVIEW*

### WHAT IS EOF AND THE ROE ANYWAY?

- **ROE:** A PROTECTION – NOT A RESTRICTION. The ROE is essentially the application of the principles set forth by the Law of War / Law of Armed Conflict, and are tailored specifically for the circumstances, conditions and desired mission end-state.

(b)(2)High

MOD 2 to MND-B FRAGO 419

005474

# ROE ROUNDTABLE

## *ROE REVIEW*

- **DECLARED HOSTILE FORCE:** Any civilian, paramilitary or military force or terrorist(s) that has been declared hostile by appropriate US authority.
- **HOSTILE ACT:** An attack or other use of force by any civilian, paramilitary, or military force or terrorist(s); or force used directly to preclude or impede the mission and/or duties of US Forces.
- **HOSTILE INTENT:** The threat of imminent use of force. When present, the right exists to use proportional force, including armed force, in self-defense by all necessary means available to deter or neutralize the potential attacker or, if necessary, destroy the threat. Determination of hostile intent must be based on convincing evidence that an attack is imminent.

# ROE ROUNDTABLE

## *ROE REVIEW*

- **PID:** Required before engagement – *Reasonable Certainty*
- **USE OF FORCE:** If individuals pose a threat to CF by committing a hostile act or demonstrating hostile intent, US Forces may use force, up to and including deadly force, to eliminate the threat. *When time and circumstances permit*, use graduated measures of force when responding

(b)(2)High

# ROE ROUNDTABLE

## *ROE REVIEW*

### WARNING SHOTS

In general, warning shots are only authorized when the use of deadly force would be authorized in a particular situation. Warning shots are not authorized to prevent looting, to protect non-designated property, or to clear traffic congestion.

# ROE ROUNDTABLE

## *ROE NEW DEVELOPMENTS*

- **MND-B FRAGO 491:** Soldiers w/ PID that an individual is disposing of a Murder Victim in Public are permitted to engage that individual with Force, up to and including deadly force.
- **INDICATORS TO FORM PID:**

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.

(b)(2)High