



HEADQUARTERS
MULTI-NATIONAL CORPS-IRAQ
BAGHDAD, IRAQ
APO AE 09342

FICA-JA-AL

24 April 2007

MEMORANDUM FOR Record (Investigative File Copy)

SUBJECT: 15-6 Fratricide Investigation into the Engagement of Combat Outpost Grant: 2 February 2007 – Outlined questions used during tank crew interviews.

1. The following questionnaires were used to focus the interviews of the tank crews. The intent behind the questions was to elicit facts regarding training, preparation, crew drills, communication, positioning throughout the engagement, target identification and validation, and to assess how the crewmembers explained the forensic evidence in the case.
2. The sworn statements of SGT (b)(3), (b)(6), and SPC (b)(3), (b)(6) all track generally with this format. SSG (b)(3), (b)(6), however, was difficult to focus on the identified questions, and his excessive rate of speech made it nearly impossible to capture all of the discussion. As such, only the main points of discussion were reduced to writing by COL (b)(3), (b)(6) notes, which SSG (b)(3), (b)(6) read and signed.
3. The POC for this is the undersigned at (b)(3), (b)(6).

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

MAJ, JA
MNC-I OPLAW, Legal Advisor

Sworn Statement of SPC (b)(3), (b)(6) , (b)(6) , taken at Ray Barracks, Friedberg, GE on 16 April 2007 at _____ Hrs. P

1. Gunner and Crew experience.

- a. How long have you been the gunner for 33?
- b. Did you qualify as a gunner prior to deployment to Ramadi? If not, who decided to move you to the gunner's position?
- c. Were you usually the gunner for 33? How many main gun engagements did you have in Ramadi?
- d. Did you have prior OIF experience? If so, when and with whom?
- e. What was your normal crew composition?
 - i. How many combat missions had you gone on with the composition you used on 2 February?
 - ii. Did you usually conduct QRF missions without a loader?
 - iii. If so, what was the reason?
 - iv. How many main gun engagements had SSG (b)(3), (b)(6) fired as a TC?
- f. What was the crew composition of the tank that qualified at your last gunnery of record?
 - i. If it was different than the composition you used that night, what was the reason for changing the team/crew composition?
- g. Describe the operational graphics that both you and 31 were using that night.
 - i. How could SSG (b)(3), (b)(6) see your graphics?
 - ii. How did SSG (b)(3), (b)(6) or LT (b)(3), (b)(6) clear up discrepancies between your map and the one that everyone the BC s using?
 - iii. Why were you still using an old map over 3 months after the new map had been published by 1-9?

Initials

iv. Did one of the tanks need to be slaved prior to rollout on 2 Feb? What was SOP on leaving QRF on auxiliary power?

v. When was the last time you had changed out your 240b barrel? Cleaned your coax? Test fired your coax?

vi. What was the SOP for QRF test firing weapons?

h. How many times did your QRF support Eagles Nest?

i. Of those, how many times was COP GRANT in contact simultaneously?

2. CrewDrills.

a. What is the drill when you get a bad laze? What else causes a read of 0000 other than lazing a target at less than 200m?

b. What did you do when you got the laze of 0000?

c. Were the AIF in the first floor, second floor, or on the roof?

d. When your LRF returns of 0000, does the round fire at a ballistic solution of battlesight zero if you don't manually input a different number? What range is that battlesight zero?

e. Why would you need to manually input 200m if you were that close to the target? If you shot from battlesight zero rather than manually inputting 200M, how far would your round be superelevated over the target? For such a close target, can you just aim and shoot?

f. What is the STP battledrill for loading and firing when you are running on a 3-man crew?

g. When you fired the MG round, was SSG (b)(3), (b)(6) safely back in the loaders seat to avoid getting hit by gun recoil?

h. Did you follow that crew drill that night?

Initials

3. As you sat in the gunner's position, what radio traffic could you hear? Dog 6 net? Coms w/ 31? Internal coms? Coms w/ C-2-37 HQ? Any other message traffic?

4. When you first rolled up to EN at 0125, you state that Dog 6 held you from pushing forward due to GMLRS. What was your position relative to 31? Who was in trail?

a. You state previously that after the GMLRS that you pushed forward and "set" facing SW on Easy Street. How do you know that you moved all the way to Easy if you are just looking through Gunner's sight aperture?

b. UAV never shows you there from 0125 to 0145. Are you sure you didn't move up there after the Cease fire was called?

c. You state that "Blue was oriented W on Mulaab". If you were pulled forward of him and to his SW w/ a SW orientation, how could you tell where he was and where he was oriented?

d. As you pushed forward, how many firers did you observe on OP Grant?

5. You state that you PID AIF in Bldg 39.

a. Wasn't Bldg 39 largely rubble before 2 February? That is, the building was blown to shit, how could AIF be using it?

b. Why would numerous witnesses say that it was then?

c. How far in front of OP South was building 39?

d. Why would the U.S. Soldier who manned OP South the night of the engagement state that there were no AIF firing from that building?

e. Why would the U.S. Soldier who manned OP South the night of the engagement state that no tank round hit that building?

f. Why would he state that the tank fired from behind him (his 4 O'clock as he looked west)- indicating that the tank fired from Malaab and not from in the traffic circle on Malaab and Easy.

g. You state that LT (3), (b) handled most coax. How could he engage vic 39 w/ his coax if you were to his S? Wouldn't he be shooting you? Was he shooting right over and around you or was he shooting West IAW his orientation you indicated earlier?

Initials

6. You state that D6 calle _____ on building 170. Who actually initiated the request for MG – D6, 31, or SSG (b)(6), (b)(3)? Bldg 170 in which sector- 170 in L6 was the GMLRS target....you can't see 170 in P-10 since it is 4 rows back.

7. After you fired coax to verify the right building, you state that you PID tracer fire coming from that building. How many firers? What was the tracer to ball mix?

a. Was it rifle or machine gun?

b. Which sight were you using? Thermal 3x or 10x

c. You state that you followed that up w/ coax and that it was “the only time I shot West, b/c insurgents on the ground?” If you were oriented SW to 39 why didn't you follow up your MG w/ coax on that target? Why would you shift your coax fire west? How cold you see AIF on the ground to the west given the buildings to your front?

d. Why would C/2-37 log state that you were engaging AIF down Farouk on “rooftops” if they were on the ground? Were you shooting straight down Farouk?

8. Did LT (b)(3), (b) tank ever fire a MG round?

9. Who reported the round count to C/2-37? Why did they report that there were 2 OR rounds fired that night (1x OR for 31 and 33 each)? Why would they report 2x OR if you only fired the one round for the section? Why wouldn't somebody go back and clear this up if it was inaccurate when then investigation first hit the ground.

10. Why would the soldiers on the rooftop of COP Grant state that they took extremely accurate machinegun fire for several minutes prior to the explosion- only coax mounted 240 is that accurate?!

a. Why would the soldiers on the rooftop of COP Grant state that they saw a bright flash from East (vic Easy street and Eagle's Nest) less than a second before the explosion?

b. Why would the UAV show a projectile tracking your tank position and COP Grant within a minute of the C/2-37 log reporting that you engaged MG round?

c. Why would the soldiers on the rooftop of COP Grant state that shortly after the explosion they received more accurate coax fire for several minutes and that the firing stopped at about the same time that they called a cease-fire due to “spillover fire”?

Initials

d. Why would the soldiers on the rooftop of COP Grant find pieces of the tailfin (stabilizing fins) and shrapnel of a 120mm round on the roof of COP Grant and right below the impact hole immediately after the battle?

Initials

Sworn Statement of SPC (b)(3), (b)(6), (b)(6), taken at Ray Barracks, Friedberg,
GE on 16 April 2007 at _ age 6 of 6

Miscellaneous comments off script

Initials

1. Gunner and Crew experience.

- a. How long have you been the gunner for 31?
- b. Did you qualify as a gunner prior to deployment to Ramadi? If not, who decided to move you to the gunner's position?
- c. Were you usually the gunner for 31? How many main gun engagements did you have in Ramadi?
- d. Did you have prior OIF experience? If so, when and with whom?
- e. What was your normal crew composition?
 - i. How many combat missions had you gone on with the composition you used on 2 February?
 - ii. Did you usually conduct QRF missions without a loader?
 - iii. If so, what was the reason?
 - iv. How many main gun engagements had SSG (b)(3), (b)(6) fired as a TC? How about LT (b)(3), (b)(6)?
- f. What was the crew composition of the tank that qualified at your last gunnery of record?
 - i. If it was different than the composition you used that night, what was the reason for changing the team/crew composition?
- g. Describe the operational graphics that both you and 33 were using that night.
 - i. How could LT (b)(3), (b)(6) see your graphics?
 - ii. How did SSG (b)(3), (b)(6) or LT (b)(3), (b)(6) clear up discrepancies between your map and the one that everyone the BCT was using?
 - iii. Why were you still using an old map over 3 months after the new map had been published by 1-9?

Initials

iv. Did one of the tanks need to be slaved prior to rollout on 2 Feb? What was SOP on leaving QRF on auxiliary power?

v. When was the last time you had changed out your 240b barrel? Cleaned your coax? Test fired your coax?

vi. What was the SOP for QRF test firing weapons?

h. How many times did your QRF support Eagles Nest?

i. Of those, how many times was COP GRANT in contact simultaneously?

2. CrewDrills.

a. What is the drill when you get a bad laze? What else causes a read of 0000 other than lazing a target at less than 200m?

b. Were the AIF in the first floor, second floor, or on the roof?

c. When your LRF returns of 0000, does the round fire at a ballistic solution of battlesight zero if you don't manually input a different number? What range is that battlesight zero?

d. Why would the gunner need to manually input 200m if he was that close to the target? If you shot from battlesight zero rather than manually inputting 200M, how far would your round be superelevated over the target? For such a close target, can you just aim and shoot?

e. What is the STP battledrill for loading and firing when you are running on a 3-man crew?

f. Did you follow that crew drill that night?

3. As you sat in the gunner's position, what radio traffic could you hear? Dog 6 net? Coms w/ 33? Internal coms? Coms w/ C-2-37 HQ? Any other message traffic?

Initials

4. You state that “SSG (b)(3), (b)(6) requested 1 MG round.” Why would you say that D6 requested the MG on building 170? Why would others say that LT (b)(3), (b)(6) requested it? Who requested and why?

5. When you first rolled up to EN at 0125, you state that Dog 6 held you from pushing forward due to S. What was your position relative to 33? Who was in trail? Did you see SSG (b)(3), (b)(6) pull around your left and up into Farouk and Easy prior to him firing MG?

a. Were you engaging targets in L6, specifically bldg 170 prior to the GMLRS? If not, why would the OP West say that you were firing coax at Bldg 170 prior to GMLRS and that you continued to fire coax into what appeared to be the southern portion of L6 after the GMLRS?

b. UAV never shows you where you claim to be from 0125 to 0145. It definitely does not show a tank into the traffic circle to the south (Farouk and Easy) w/ an orientation of SW. Are you sure 33 didn't move up there after the Cease fire was called?

c. You state that “LT had me scan over to Easy and ensure LOS as clear”. I don't understand- where were you looking, what was orientation, where was 33 relative to you, what was his GTL and what was yours?

d. What was the chatter prior to the MG fire?

e. Discuss your coax engagements prior to and following the MG engagement?

f. As you pushed forward, how many firers did you observe on OP Grant?

6. You state that you PID AIF in Bldg 39.

a. Wasn't Bldg 39 largely rubble before 2 February? That is, the building was blown to shit, how could AIF be using it?

b. Why would numerous witnesses say that it was then?

c. How far in front of OP South was building 39?

d. Why would the U.S. Soldier who manned OP South the night of the engagement state that there were no AIF firing from that building?

e. Why would the U.S. Soldier who manned OP South the night of the engagement state that no tank round hit that building?

Initials

f. Why would he state that the tank fired from behind him (his 4 O'clock as he looked west)- indicating that the tank fired from Malaab and not from in the traffic circle on Malaab and Easy.

g. 33 states that you handled most coax. How could you engage vic 39 w/ your coax if 33 was to your SW? Wouldn't you be shooting him? Were you shooting right over and around him or were you shooting West IAW your orientation you indicated earlier?

7. What was the target house number for the MG? 33 notes that it was Bldg 170 in which sector- 170 in L6 was the GMLRS target....you can't see 170 in P-10 since it is 4 rows back.

8. After you fired coax to verify the right building, you state that you PID tracer fire coming from that building. How many firers? What was the tracer to ball mix?

a. Was it rifle or machine gun?

b. Which sight were you using? Thermal 3x or 10x

c. You state that you followed that up w/ coax. Where were you firing coax?" If you were oriented SW to 39 why didn't you follow up your MG w/ coax on that target? Why would you shift your coax fire west?

d. Why would C/2-37 log state that you were engaging AIF down Farouk on "rooftops"? Were you shooting straight down Farouk?

9. Did your tank ever fire a MG round?

10. Who reported the round count to C/2-37? Why did they report that there were 2 OR rounds fired that night (1x OR for 31 and 33 each)? Why would they report 2x OR if you only fired the one round for the section? Why wouldn't somebody go back and clear this up if it was inaccurate when then investigation first hit the ground.

11. Why would the soldiers on the rooftop of COP Grant state that they took extremely accurate machinegun fire for several minutes prior to the explosion- only coax mounted 240 is that accurate?!

a. Why would the soldiers on the rooftop of COP Grant state that they saw a bright flash from East (vic Easy street and Eagle's Nest) less than a second before the explosion?

Initials

b. Why would the UAV show a projectile tracking 33's position and COP Grant within a minute of the C/2-37 log reporting that you engaged MG round?

c. Why would the soldiers on the rooftop of COP Grant state that shortly after the explosion they received more accurate coax fire for several minutes and that the firing stopped at about the same time that they called a cease-fire due to "spillover fire"?

d. Why would the soldiers on the rooftop of COP Grant find pieces of the tailfin (stabilizing fins) and shrapnel of a 120mm round on the roof of COP Grant and right below the impact hole immediately after the battle?

Initials

Miscellaneous comments off script

Initials

Sworn Statement of LT (b)(3), (b)(6) (b)(6), taken at Ray Barracks, Friedberg, GE on 16 April 2007 at 1000 Hrs. Page 1 of 6

Sworn Statement of LT (b)(3), (b), FN, SSN, taken at Ray Barracks, Friedberg, GE on 16 April 2007 at xxxx Hrs.

1. Gunner and Crew experience.

- a. Describe the operational graphics that both you and 33 were using that night.
 - i. How could you see your graphics?
 - ii. How did you clear up discrepancies between your map and the one that everyone else in the BCT was using?
 - iii. Why were you still using an old map over 3 months after the new map had been published by 1-9?
 - iv. Why did your tank need to be slaved prior to rollout on 2 Feb? What was SOP on leaving QRF on auxiliary power?
 - v. When was the last time you had changed out your 240b barrel? Cleaned your coax? Test fired your coax?
 - vi. What was the SOP for QRF testfiring weapons?
- b. How long have you been the TC for 31 and the PL for 3d Platoon?
- c. Did SPC (b)(3), (b) qualify as a gunner prior to deployment to Ramadi? If not, who decided to move him to the gunner's position?
- d. Was (b)(3), (b) usually the gunner for 33? How many main gun engagements did he have in Ramadi? How many main gun engagements did you have in Ramadi?
- e. Did you have prior OIF experience? If so, when and with whom? Did (b)(3), (b)?
- f. What was your normal crew composition? What was the normal crew composition of 33?
 - i. How many combat missions had you gone on with the composition you used on 2 February?
 - ii. Did you usually conduct QRF missions without a loader?

Initials

iii. If so, what was the reason?

iv. How many main gun engagements had SSG (b)(3), (b)(6) fired as a TC? How about you?

g. What was the crew composition of the tank that qualified at your last gunnery of record? What was the composition of 33 for that gunnery?

i. If either was different than the composition you used that night, what was the reason for changing the team/crew composition?

h. How many times did your QRF support Eagles Nest?

i. Of those, how many times was COP GRANT in contact simultaneously?

2. Crew Drills.

a. What is the drill when you get a bad laze? What else causes a read of 0000 other than lazing a target at less than 200m?

b. Were the AIF in the first floor, second floor, or on the roof? How could you fire coax at the bldg to your SW if 33 was sitting to your SW.

c. When your LRF returns of 0000, does the round fire at a ballistic solution of battlesight zero if you don't manually input a different number? What range is that battlesight zero?

d. Why would the gunner need to manually input 200m if he was that close to the target? If you shot from battlesight zero rather than manually inputting 200M, how far would your round be superelevated over the target? For such a close target, can you just aim and shoot?

e. What is the STP battledrill for loading and firing when you are running on a 3-man crew?

f. Did you follow that crew drill that night?

Initials

3. What radio traffic could you hear? Dog 6 net? Coms w/ 33? Internal coms? Coms w/ C-2-37 HQ? Any other message traffic?

4. Some state that "SSG (b)(3), (b)(6) requested 1 MG round." Others state that D6 requested the MG on building 170 and others state that you requested it? Who requested and why?

5. When you first rolled up to EN at 0125, you state that Dog 6 held you from pushing forward due S. What was your position relative to 33? Who was in trail? Did you see SSG (b)(3), (b)(6) pull around your left and up into Farouk and Easy prior to him firing MG?

a. Were you engaging targets in L6, specifically bldg 170 prior to the GMLRS? If not, why would the OP West say that you were firing coax at Bldg 170 prior to GMLRS and that you continued to fire coax into what appeared to be the southern portion of L6 after the GMLRS?

b. UAV never shows you (or more specifically 33) where you claim to be from 0125 to 0145. It definitely does not show a tank into the traffic circle to the south (Farouk and Easy) w/ an orientation of SW. Why would the video show you at different positions than what you claim? Are you sure 33 didn't move up there after the Cease fire was called?

c. SGT (b)(3), (b)(6) states that "LT had me scan over to Easy and ensure LOS as clear". I don't understand- where were you looking, what was orientation, where was 33 relative to you, what was his GTL and what was yours?

d. What was the chatter prior to the MG fire?

e. Discuss your coax engagements prior to and following the MG engagement?

f. As you pushed forward, how many firers did you observe on OP Grant?

6. You state that you had SSG (b)(3), (b)(6) engage bldg 137 which is the same as 39. However 137 is the same as 3 (has not been damaged, to date). Explain?.

a. Wasn't Bldg 39 largely rubble before 2 February? That is, the building was blown to shit, how could AIF be using it?

b. Why would numerous witnesses say that it was then?

c. How far in front of OP South was building 39?

Initials

d. Why would the U.S. Soldier who manned OP South the night of the engagement state that there were no AIF firing from that building?

e. Why would the U.S. Soldier who manned OP South the night of the engagement state that no tank round hit that building?

f. Why would he state that the tank fired from behind him (his 4 O'clock as he looked west)- indicating that the tank fired from Malaab and not from in the traffic circle on Malaab and Easy.

g. 33 states that you handled most coax. How could you engage vic 39 w/ your coax if 33 was to your SW? Wouldn't you be shooting him? Were you shooting right over and around him or were you shooting West IAW your orientation you indicated earlier?

7. What was the target house number for the MG? 33 notes that it was Bldg 170 in which sector- 170 in L6 was the GMLRS target....you can't see 170 in P-10 since it is 4 rows back.

8. After you fired coax to verify the right building, you state that you PID tracer fire coming from that building. How many firers? What was the tracer to ball mix?

a. Was it rifle or machine gun?

b. Which sight were you using? Thermal 3x or 10x

c. You state that you followed that up w/ coax. Where were you firing coax?" If you were oriented SW to 39 why didn't you follow up your MG w/ coax on that target? Why would you shift your coax fire west?

d. Why would C/2-37 log state that you were engaging AIF down Farouk on "rooftops"? Were you shooting straight down Farouk?

9. Did your tank ever fire a MG round?

10. Who reported the round count to C/2-37? Why did they report that there were 2 OR rounds fired that night (1x OR for 31 and 33 each)? Why would they report 2x OR if you only fired the one round for the section? Why wouldn't somebody go back and clear this up if it was inaccurate when then investigation first hit the ground.

11. Why would the soldiers on the rooftop of COP Grant state that they took extremely accurate machinegun fire for several minutes prior to the explosion- only coax mounted 240 is that accurate?!

Initials

a. Why would the soldiers on the rooftop of COP Grant state that they saw a bright flash from East (vic Easy street and Eagle's Nest) less than a second before the explosion?

b. Why would the UAV show a projectile tracking 33's position and COP Grant within a minute of the C/2-37 log reporting that you engaged MG round?

c. Why would the soldiers on the rooftop of COP Grant state that shortly after the explosion they received more accurate coax fire for several minutes and that the firing stopped at about the same time that they called a cease-fire due to "spillover fire"?

d. Why would the soldiers on the rooftop of COP Grant find pieces of the tailfin (stabilizing fins) and shrapnel of a 120mm round on the roof of COP Grant and right below the impact hole immediately after the battle?

12. Why, in your last statement, do you account for the actions of others that you couldn't have personal knowledge of? How could you know what was happening inside 33?

Initials

Miscellaneous comments off script

Initials

1. Gunner and Crew experience.

a. How did you clear up discrepancies between your map and the one that everyone else in the BCT was using?

b. When was the last time you had changed out your 240b barrel? Cleaned your coax? Test fired your coax?

c. What was the SOP for QRF test firing weapons?

d. Was (b)(3), (b)(6) usually the gunner for 33? How many main gun engagements did he have in Ramadi? How many main gun engagements did you have in Ramadi as a TC? Describe (b)(3), (b)(6)'s training w/ switchology, friend/foe ID, and target identification and validation.

e. What was your normal crew composition?

i. How many combat missions had you gone on with the composition you used on 2 February?

ii. Why did you usually conduct QRF missions without a loader? Whose decision was it to do that?

f. How many times did your QRF support Eagles Nest?

i. How many were after COP Grant was established?

ii. How many were at night?

iii. How many were w/ (b)(3), (b)(6) as gunner?

g. Of those, how many times was COP GRANT in contact simultaneously?

2. Crew Drills.

3. Describe how you requested MG that night. Who requested it and why? Some state that "SSG (b)(3), (b)(6) requested 1 MG round." Others state that D6 requested the MG on building 170 and others state that LT (b)(3), (b)(6) requested it? The 1-9 Log and SIGACT state that it was building 161 which was re-estimated. Who requested and why?

a. Describe how you ID'd and validated targets. And how you cleared up the confusion surrounding which building you were supposed to shoot.

Initials

Sworn Statement of SSG (b)(3), (b)(6) FN, SSN, taken at Ray Barracks, Friedberg, GE on 16 April 2007 at 1000 Hrs.

4. Describe the target. What did the target build look like? Were the AIF in the first floor, second floor, or on the roof? Why would (b)(3), (b)(6) describe the target much differently than you? Why would you describe the target differently previously? How could your LT fire coax at the bldg to your SW if you were sitting directly to his SW? He says that he marked it w/ coax for you not you for him; which one was it? What radio traffic could you hear? Dog 6 net? Coms w/ 33? Internal coms? Coms w/ C-2-37 HQ? Any other message traffic?

a. What was your battle-sight set at that night? Why was it set at that distance? Why didn't you simply hit battle-sight and fire instead of manually indexing 200M?

b. Why would the gunner need to manually input 200m if he was that close to the target? If you shot from battle-sight zero rather than manually inputting 200M, how far would your round be superelevated over the target? For such a close target, can you just aim and shoot?

c. What is your battle-drill for loading and firing when you are running on a 3-man crew?

d. Did you follow that crew drill that night?

5. When you first rolled up to EN at 0125, you state that Dog 6 held you from pushing forward due to GMLRS. What was your position relative to 31? Who was in trail? Did you pull around LT (b)(3), (b)(6) left and up into Farouk and Easy prior to firing MG? How far past the garage buil on the left corner did you pull? How far did you back up when you had all your coax jams? Who was keeping eyes on target? Where were you physically when the tank was backed up?

a. UAV never shows where you claim to be from 0125 to 0145. It definitely does not show a tank into the traffic circle to the south (Farouk and Easy) w/ an orientation of SW. Why would the video show you at different positions than what you claim? Are you sure you didn't just move up there after the Cease fire was called?

b. What was the chatter prior to the MG fire?

c. Discuss your coax engagements prior to and following the MG engagement?

d. As you pushed forward, how many firers did you observe on OP Grant?

6. The LT states that you were to engage bldg 137 which is the same as 38. However, building 38 has not been damaged, to date. Explain?.

Initials

a. Wasn't Bldg 39 largely rubble before 2 February? That is, the building was blown to shit, how could AIF be using it? Your PSG said that Bldg 139 was blown to shit because he had shot it a number of times. What was the target house number for the MG? Your company log states that Blue 3 engaging Bldg 170 Main Gun. In which sector- 170 in L6 was the GMLRS target....you can't see 170 in P-10 since it is 4 rows back?

b. How far in front of OP South was building 39?

c. Why would the U.S. Soldier who manned OP South the night of the engagement state that there were no AIF firing from that building?

d. Why would the U.S. Soldier who manned OP South the night of the engagement state that no tank round hit that building?

e. Why would he state that the tank fired from behind him (his 4 O'clock as he looked west)- indicating that the tank fired from Malaab and not from in the traffic circle on Malaab and Easy.

7. After you fired coax to verify the right building, you state that you PID tracer fire coming from that building. How many firers? What was the tracer to ball mix?

a. Was it rifle or machine gun?

b. Which sight were you using? Thermal 3x or 10x

c. You state that you followed MG up w/ coax. Where were you firing coax?" Company reports you are engaging enemy on rooftops w/ coax at 0142. Where was that? How come you didn't mention in your initial statement? Why would you shift your coax fire west?

d. Why would the soldiers on the rooftop of COP Grant state that they saw a bright flash from East (vic Easy street and Eagle's Nest) less than a second before the explosion?

e. Why would the UAV show a projectile tracking your position and COP Grant within a minute of the C/2-37 log reporting that you engaged MG round?

f. Why would the soldiers on the rooftop of COP Grant state that shortly after the explosion they received more accurate coax fire for several minutes and that the firing stopped at about the same time that they called a cease-fire due to "spillover fire"?

Initials

g. Why would the soldiers on the rooftop of COP Grant find pieces of the tailfin (stabilizing fins) and shrapnel of a 120mm round on the roof of COP Grant and right below the impact hole immediately after the battle?

Miscellaneous comments off script

8.

Initials

Sworn Statement of SPC (b)(3), (b)(6) (b)(6), taken at Ray Barracks, Friedberg, GE on 16 April 2007 at 1437 Hrs. Page 1 of 1 + affidavit page

I witness B33 shoot the one main gun round. I was looking west and oriented west, when I saw the round pass in front of me and it appeared to go northwest. Through the night sight, I saw the round for only a split second and was wondering why they were shooting that way. I said, "What the Fuck is he shooting at!" Then receiving small arms fire from west of us, we engaged enemy on rooftops. ~~It could have been from SOP Grant~~ (3), (b)
the

I have been a driver on a number of nighttime live-fires when they shoot main gun. I know what it looks like in my night sight. ~~This was~~ (3), (b) *It is unmistakable, the round went northwest.*

Prior to today, on each occasion that I spoke with an investigator, all the guys from the section were there (well not the drivers one time) and we all ~~just~~ (3), (b) told the investigators what happened. We all talked through it and then filled out our sworn statements.

See Attached: (b)(3), (b)(6)

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

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

STATEMENT OF (b)(3), (b)(6) TAKEN AT Ray Barracks DATED 16 Apr 07

9. STATEMENT (Continued)

When we recieved small arms fire from the west it came from the rooftop of the building between COP Grant and our position. The tracers from the building did not burn out before they reached our position. COP Grant was 900m away. Tracer burn out is 800. In the typed up version of my sworn statement it says "it could have been from COP Grant". The tracers would have burned out before they got to us. The building we engaged fired back at us.

(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 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 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)

WITNESS (b)(3), (b)(6)
MAJ (b)(3), (b)(6)
HQ MNC-1 OSJA
ORGANIZATION OR ADDRESS

(b)(3), (b)(6)
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16th day of April, 2007 at Ray Barracks, Friedberg GE,
(b)(3), (b)(6)
(Signature of Person Administering Oath)
COL (b)(3), (b)(6)
(Typed Name of Person Administering Oath)
AR 15-6
(Authority To Administer Oaths)

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 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: Friedberg GE
2. DATE (YYYYMMDD): 2010 09 16
3. TIME: 1437
4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME: (b)(3), (b)(6)
6. SSN: (b)(6)
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS: C CO 2/37 AR BN

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

I witnessed B33 shoot the one round. I saw the main gun round pass in front of me & it appeared to go to the west/northwest. Through the night sight I saw the round for only a split second & was wondering what they were shooting that way. "I said what the fuck is he shooting at." Then receive small arms fire from west we engaged enemy on rooftop. -- could have been from

10. EXHIBIT: F-1A
11. INITIALS OF PERSON MAKING STATEMENT: (b)(3), (b)(6)
PAGE 1 OF 3 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 INDICATED.

CAF GN
F-1A

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT *(Continued)*

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

(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 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)

WITNE

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16th day of April, 2007 at Ray Barracks, Ft. Bragg, NC

MAJ

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

HQ MNC-1 OSJA

ORGANIZATION OR ADDRESS

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

AR 15-6

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

F-1A

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 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 Ray Barnards GE	2. DATE (YYYYMMDD) 20070228	3. TIME 1400	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS E4	
8. ORGANIZATION OR ADDRESS Co 2/37 ARVN			

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

On 02 Feb. 2007 at around 0130. My tank crew 31 and 33 were called on GRF to the Mubab District, to assist the Eagles Nest because they were receiving heavy contact. After the tanks were prepped and ready to roll we proceeded out of FOB Corrigador. I was the driver of the 31 tank which was the second tank on the way to the Eagles Nest. It went 33 then 31. We proceeded with caution due to the route not being cleared. We headed west on ASR Michigan to Canal Street. Took a left on Canal street and headed south. I kept great distance from 33 because the route was not cleared, that way I could speed up and slow down to throw off possible trigger men. After 5 to 10 minutes we reached the intersection of Mubab Way and Canal street. We took a right and headed west on Mubab way. Because of GMLR Strikes due west we were told to hold our position 250 to 300 meters shy of Eagles Nest. After the GMLR strikes we then continued to Eagles Nest, upon reaching the Eagles Nest threw my Night Sight. I could see tracer fire coming at us and 33. Both tanks suppressed the house. Due to being in the drivers hole I could not see what building we were engaging. Lt (b)(3), (b)(6) then requested for Main gun, it was ~~observed~~. Only 1 main gun round was authorized. Lt (b)(3), (b)(6) told 33 they could have the shot. 33 moved over into the south lane while I positioned 31 into the north lane. The only thing I could see through my drivers Night sight was due west. Positioning the tank took 5 minutes to do. I kept moving so my gunner could get better angles and better observation. 33 still did not shoot. A few minutes after that 33 fired main gun. The hull of the tank was facing west, so I could see down towards OP Grant. After the initial boom I saw no ~~round~~ tank round traveling west. After we fired, the smok arms fire stopped. And we stayed on station for 30 to 45 minutes before RTB

nothing follows

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

10. EXHIBIT F-1B	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 2 PAGES
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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 INDICATED.

STATEMENT OF

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

TAKEN AT

Ray Barracks

DATED

2007 02 28

STATEMENT (Continued)

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

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

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

(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 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 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)

WITNESSES:

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2 day of March, 2007

at

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

(Signature of Person Administering Oaths)

1LT (b)(3), (b)(6)

CLZ-SZ MR, APC AE 01074
ORGANIZATION OR ADDRESS

CPT

(Type)

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

ART 136, UCMJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

F-1B

18RPA V

I turned off all radios except for intercom. There was a lot of radio traffic and I wanted to make sure I could hear SSC^{(3), (b)}. We initially pulled forward, but not into the intersection. We were not past the building on our left (OP South). We had to back up to fix the coax. When they marked the building with tracers, I could see the gun tube pointing at a building about 150 M ahead. We were facing almost due West, sitting on Malaab, and oriented just North of Farouk. There was another building ahead at about 250 M. I could not see the round fire from the main gun, nor could I see the round impact. I did see what I believe was enemy small arms firing in our direction. TC was in TC seat when main gun fired as far as I could tell.

At no time prior to, or during, the main gun engagement did we pull all the way past OP South and into the intersection. As far as I know, 31 was to my front right and we didn't pass them after that. I believe our weapon orientation was straight in-line with the tank facing west at the house that was 150-200M to our front (between Farouk and Baseline). After the engagements were over and they had called a cease fire, we pushed forward into the south side of the traffic circle w/ an orientation to P10 (SW). Prior to the coax engagement, I saw guys on rooftops with what looked like flashlights. This was on top of the same house between Farouk and Baseline.

Prior to today, on each occasion that I spoke with an investigator, all the guys from the section were there (~~well not the drivers one time~~^{(3), (b)}) and we all just kinda told the investigators what happened. We all talked through it and then filled out our sworn statements.

Nothing Follows

Initials

(3), (b)

SWORN STATEMENT
DA FORM 2823 - Alt

F-2

STATEMENT OF (b)(3), (b)(6) TAKEN AT Ray Barracks, GE DATED 16 APR 07

9. STATEMENT (Continued)

Nothing Follows
Nothing Follows
Nothing Follows
Nothing Follows

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 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 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)

WITNESS: (b)(3), (b)(6)
MAJ (b)(3), (b)(6)
HQ MNC-1 OSTA
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16th day of April, 2007 at Ray Barracks, Ft. Belvoir, GE

(b)(3), (b)(6)
(Signature of Person Administering Oath)

COL (b)(3), (b)(6)
(Typed Name of Person Administering Oath)
AR 15-6
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

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

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 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION Friedberg German 2. DATE (YYYYMMDD) 20070416 3. TIME 1435 4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(3), (b)(6) 6. SSN (b)(6) 7. GRADE/STATUS SPC
8. ORGANIZATION OR ADDRESS

9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
I TURNED OFF ALL AMMUNITION EXCEPT FOR INTERCOM.
PULLED FORWARD BUT NOT INTO THE INTERSECTION, HAD TO BACK UP ONCE TO FIX COAX.
MARKED BUDG W/ TRACERS - I COULD SEE THE GUN TUBE POINTING AT A BUDG ABOUT 150 METERS AHEAD. - APPROXIMATELY 250M.
I COULD NOT SEE THE MOUND FIRE FROM THE MAIN GUN, NOR COULD I SEE THE MOUND IMPACT.
I DID NOT SEE WHAT I BELIEVE ^{WAS} AN ENEMY SMALL ARMS FIRING IN OUR DIRECTION.
TC WAS IN TC SEAT WITH MAIN GUN FIRED. (b)(3), (b)(6)

10. EXHIBIT F-2A 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 INDICATED.

STATEMENT OF (b)(3), (b)(6) TAKEN AT Ray Barracks DATED 16 Apr 07

9. STATEMENT (Continued)

+ At no time prior to main gun engagement did we pull all the way past OP South a into the intersection, As far as I know, 31 was to my front right and we didn't pass them after that. Believe weapon orientation was straight in-line w/ tank facing west at the house that was 150-200m to our front (between Farouk and baseline). After the engagements were over and they had called a cease-fire we pushed into the south side of ^{the} traffic circle w/ an orientation to PLO (sw).

- Prior to coax engagement I saw guys on rooftops w/ flashlights & it was on top of the same house between Farouk & Baseline. (b)(3), (b)(6)

Nothing follows

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 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 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)

WITNESSES:

(b)(3), (b)(6)
MAJ (b)(3), (b)(6)
HQ MNC-1, OSTA'
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16th day of April, 2007 at Ray Barracks, Friedberg, GE

(b)(3), (b)(6)
(Signature of Person Administering Oath)

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

AR 15-6
(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

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).
INCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
USINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
CLOSURE: Disclosure of your social security number is voluntary.

LOCATION Roy Barracks GE	2. DATE (YYYYMMDD) 20070228	3. TIME 1400	4. FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE INITIAL (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS E4	
ORGANIZATION OR ADDRESS C ^{co} 2-37 AR BN			

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

On 02 FEB, 2007 at around 0130 hours both my tank crew (C33) and the C31 tank were called out on a QRF mission in the Mulab district at the Eagle's Nest to help suppress the enemy in which they were taking heavy contact from. I am the driver for the C33 vehicle. Upon receiving the call both crews hastily preped the tanks and moved out of camp Corrigador. After spring from Corrigador my TC (tank commander) instructed me where we were heading but to drive slow and take caution because he was told by higher that the route had not been cleared and most likely had IED's and/or IRL's along the way. We were lead tank and I first started heading west on ASR Michigan, passed ECF 7 West, and then took a left on Canal St. heading south. Ssgt. (b)(3), (b)(6) (my TC) told me to slow the pace down and take even more notice to the ground at this point. It took us apx. 5 mins to reach the end of Canal, where we then took a right onto Mulab Way heading towards the Eagle's Nest. When we reached what I'd call halfway down the road of Mulab Way, apx. 200-300 m shy of Eagles Nest, my TC instructed me to stop and hold my position because of a GMLR strike about to take place directly in front of us. The only thing I had observed out of drivers nightsight periscope up to this point was a Friendly Hummer to our front left (on the opposite side of the road) about 25m - stationary. After apx 5 mins of initially stopping I observed the GMLR strike off into the

EXHIBIT F-2B	11. INITIALS OF PERSON MAKING STATEMENT (3), (b)	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING 'STATEMENT OF _____ TAKEN AT _____ DATED _____'

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

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(3), (b)(6) TAKEN AT Ray Baccus DATED 7 007 02 28

STATEMENT (Continued)

into the distance, directly in front of us - 400-600m out (or so it seemed). After a few GMLK strikes, we received word that it was clear to push ahead. So my TC instructed me to move forward, and we came to a stop just shy of the intersection of Mulab Way and Easy St. At this time I began to see enemy small arm tracers flying in our direction. We then move about 25m closer to the intersection, while the C31 tank remained a little bit behind us on the other side of the road. C31 began firing small arms at a specific location/building which couldn't have been any further than 250m away. We tried assisting C31 by suppressing what was now confirmed by higher as the "target building", however due to a coax jam we were unable to do so. After of about 3 mins of C31 suppressing the enemy and our crew struggling to fix our Coax machine gun, Lt (b)(3), (b)(6) (C31 TC) received the go ahead to fire 1 main gun round into the target building. Just to confirm which building was to be hit, C31 sent a few bursts of coax and wait for PID from higher just to be sure. After confirmation that the building was in fact the building with AIF in it, my TC informed C31 that we would re-position closer to get a clear shot. After repositioning we had a clear shot of the target building. My TC loaded what I believe was an OR round, my gunner manually input the range, indexed main gun, and after a short while fired. Although a little hesitant - apr. after 10 mins of receiving the order, 1 (one) main gun round was fired. All surrounding units got equipment and personnel accounted for. For the most part the contact had subsided. And we remained on station for apr. 30 mins until given the go ahead to RTB.

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

PAGE 2 OF 3 PAGES

F-2B

USAPA V

STATEMENT OF (b)(3), (b)(6) TAKEN AT Ray Barracks DATED 20070228

STATEMENT (Continued)

(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)
(Signature of Person Making Statement)

WITNESSES:

(b)(3), (b)(6)
1st (b)(3), (b)(6)
CI2-37 AR, APO AE 09084
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2 day of March, 2007 at

(b)(3), (b)(6)
CPT (b)(3), (b)(6)
(Type in full name of person administering oaths)
ART 136 UCMS
(Authority To Administer Oaths)

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

1. Gunner and Crew experience.

a. How long have you been the gunner for 33? Four months – sort of. I was originally the loader for 32. SSG (b)(3), (b)(6) was the TC for 33 but he got switched over to the supply room or arms room like 4 mos before we re-deployed. He wasn't doing missions anymore. SGT (b)(3), (b)(6) was the gunner for 33 and he became the TC for 33 when SSG (b)(3), (b)(6) got moved to the supply room. SSG (b)(3), (b)(6) was moved back to TC 33 for about the last month before we left and then SGT (b)(3), (b)(6) and I would switch out (alternate) as the gunner.

b. Did you qualify as a gunner prior to deployment to Ramadi? If not, who decided to move you to the gunner's position? No. I never qualified as a gunner. I got moved into the gunner spot cause TC thought I could do it. So the leadership agreed and let me move to gun. Feb 2nd was the first and only time I have ever fired main gun.

c. Were you usually the gunner for 33? How many main gun engagements did you have in Ramadi? As noted above, I had been gunner for SGT (b)(3), (b)(6) on 33 for about 3 months while SSG (b)(3), (b)(6) was off the tank, and then when SSG (b)(3), (b)(6) came back, SGT (b)(3), (b)(6) was the normal gunner, but I would alternate some missions as gunner. This was the first and only MG engagement for me in Ramadi, and I was pretty fired up to fire prior to re-deploying.

d. Did you have prior OIF experience? If so, when and with whom? No. N/A

e. What was your normal crew composition? SPC (b)(3), (b)(6) was driver, and after SSG (b)(3), (b)(6) came back to the tank, either me or SGT (b)(3), (b)(6) were the gunners. While SGT (b)(3), (b)(6) was the TC, I was the gunner.

i. How many combat missions had you gone on with the composition you used on 2 February? 10-15 missions: this included a lot of OP missions, a few escort missions, and some QRF. Of these 3-4 were at night. This is the first time we rolled into a firefight with this crew composition.

ii. Did you usually conduct QRF missions without a loader? Yes. Our loader was overweight so it was decided by TC that it wasn't safe for him to go out. Also, we were worried about losing somebody else, so we wouldn't take everybody that wasn't essential.

iii. If so, what was the reason? Safety of loader – TC discretion on who to take.

Initials

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

SWORN STATEMENT
DA FORM 2823 - Alt

F-3

iv. How many main gun engagements had SSG (b)(3), (b)(6) fired as a TC? Lots of experience. He was prior OIF as PSG gunner, but I don't know of any MG engagements this deployment as a TC.

f. What was the crew composition of the tank that qualified at your last gunnery of record? (b)(3), (b)(6) – gunner: (b)(3), (b)(6) – TC

i. If it was different than the composition you used that night, what was the reason for changing the team/crew composition? People getting sick and injured and short handed.

g. Describe the operational graphics that both you and 31 were using that night. I don't know what the discrepancies were. For pre-planned missions we would look at the maps but for QRF we would just roll.

i. How did SSG (b)(3), (b)(6) or LT (b)(3), (b)(6) clear up discrepancies between your map and the one that everyone else in the BCT was using? I don't know, I couldn't hear the coms between SSG A and the LT. I just know that D6 told us we were cleared to fire at the building we had marked with coax.

ii. Why were you still using an old map over 3 months after the new map had been published by 1-9? Don't know.

iii. Did one of the tanks need to be slaved prior to rollout on 2 Feb? What was SOP on leaving QRF on auxiliary power? Most APUs didn't work so we ditched them. We had to cold start both tanks. I don't recall needing to slave 31. We were in the building right by the tanks when we got the call on Icoms. So we were able to get ready pretty quick.

iv. When was the last time you had changed out your 240b barrel? Cleaned your coax? Test fired your coax? We had a fresh barrel. We had just T/I an ORF tank about 2 weeks prior that had a lot of problems w/ coax. So, me and SGT (b)(3), (b)(6) boresighted MG and coax at the graveyard near Corregidor. We had test fired coax probably 4-5 days before this mission.

v. What was the SOP for QRF test firing weapons? There wasn't an SOP for it. We tried to test fire sometimes when we would have maintenance days. So we test fired a few times since I was a gunner...every once in a while.

h. How many times did your QRF support Eagles Nest? A few times (3-4x) but only once or twice was at night.

i. Of those, how many times was COP GRANT in contact simultaneously? None.

Initials

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

SWORN STATEMENT
DA FORM 2823 - Alt

F-3

2. CrewDrills.

a. What is the drill when you get a bad laze? What else causes a read of 0000 other than lazng a target at less than 200m? When it is too far. The drill is to re-laze.

b. What did you do when you got the laze of 0000? I re-lazed. I moved aimpoint down a little bit so I was sure I wasn't shooting over it.

i. But when you made previous statements you didn't state that you re-lazed. In those statements you just said that you got bad lazes and called it then SSG). (told you to manually input 200M. So did you re-laze or just input the 200M? I re-lazed.

c. Were the AIF in the first floor, second floor, or on the roof? On the roof.

d. When your LRF returns of 0000, does the round fire at a ballistic solution of battlesight zero if you don't manually input a different number? Why would you need to manually input 200m if you were that close to the target? If you shot from battlesight zero rather than manually inputting 200M, how far would your round be superelevated over the target? For such a close target, can you just aim and shoot? We just followed the drill which was to re-laze then manually input 200M.

e. When you fired the MG round, was SSG (b)(3), (b)(6) safely back in the loaders seat to avoid getting hit by gun recoil? He was back in the TC seat before I shot. He had the knee guard up but not the rest of the cage. He went over to the loader's area to fix the round feed for the coax previously and was going back up to TC when we got the permission to fire the MG so he moved back over to the loader's seat to load the OR.

3. As you sat in the gunner's position, what radio traffic could you hear? Dog 6 net? Coms w/ 31? Internal coms? Coms w/ C-2-37 HQ? Any other message traffic? Only internal coms.

4. When you first rolled up to EN at 0125, you state that Dog 6 held you from pushing forward due to GMLRS. What was your position relative to 31? Who was in trail? I believe that we led initially. We were all pumped up, but we had to wait.

a. You state previously that after the GMLRS that you pushed forward and "set" facing SW on Easy Street. How do you know that you moved all the way to Easy if you are just looking through Gunner's sight aperture?

b. UAV never shows you there from 0125 to 0145. Are you sure you didn't move up there after the Cease fire was called? I'm positive we moved up there and shot the building at the corner of P10.

Initials

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

SWORN STATEMENT
DA FORM 2823 - Alt

F-3

c. You state that "Blue was oriented W on Mulaab". If you were pulled forward of him and to his SW w/ a SW orientation, how could you tell where he was and where he was oriented? That's where he was when we backed up to fix misfire and I didn't see him reposition.

d. As you pushed forward, how many firers did you observe on OP Grant? I didn't see OP Grant. That's not where I was looking.

i. But you were looking there when you backed up and were facing straight down Farouk in order to fix the misfeed of your coax. Didn't you see them then? No, I didn't see anyone there. I just saw the guys on the roof that were firing at us. That is, the guys in the building at P10 that I shot.

5. You state that you PID AIF in Bldg 39.

a. Wasn't Bldg 39 largely rubble before 2 February? That is, the building was blown to shit, how could AIF be using it? Bldg 39 was standing. That is the one they were on the roof of.

b. Why would numerous witnesses say that it was then? I don't know.

c. How far in front of OP South was building 39? 100M..

i. Really? Wasn't it right across the street from OP South? Yeah, I guess maybe 20-30 M.

d. Why would the U.S. Soldier who manned OP South the night of the engagement state that there were no AIF firing from that building? I don't know. That's where they were.

e. Why would the U.S. Soldier who manned OP South the night of the engagement state that no tank round hit that building? I don't know. He should have seen it cause that's what I hit.

f. Why would he state that the tank fired from behind him (his 4 O'clock as he looked west)- indicating that the tank fired from Malaab and not from in the traffic circle on Malaab and Easy. I don't know. We were in front.

g. You state that LT (b)(3), (b)(6) handled most coax. How could he engage vic 39 w/ his coax if you were to his SW? Wouldn't he be shooting you? Was he shooting right over and around you or was he shooting West IAW his orientation you indicated earlier? I don't know.

Initials

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

SWORN STATEMENT
DA FORM 2823 - Alt

F3

6. You state that D6 called for MG on building 170. Who actually initiated the request for MG – D6, 31, or SSG (b)(3), (b)(6)? Bldg 170 in which sector- 170 in L6 was the GMLRS target....you can't see 170 in P-10 since it is 4 rows back. I couldn't hear the radio. All I know is that SSG³⁾ (told me that Dog 6 had cleared us for 1 MG round at the building we were marking with coax.

7. After you fired coax to verify the right building, you state that you PID tracer fire coming from that building. How many firers? What was the tracer to ball mix? I don't know what kind of fire. There were like 4 guys on the roof. We would shoot coax then we couldn't see them, then after we fired coax, they would reappear.

a. Was it rifle or machine gun? I don't know.

b. Which sight were you using? Thermal 3x or 10x. The 10x.

c. Why would C/2-37 log state that you were engaging AIF down Farouk on "rooftops" if they were on the ground? Were you shooting straight down Farouk? No answer.

8. Did LT^{(3), (b)} tank ever fire a MG round? No, only us.

9. Who reported the round count to C/2-37? Why did they report that there were 2 OR rounds fired that night (1x OR for 31 and 33 each)? Why would they report 2x OR if you only fired the one round for the section? Why wouldn't somebody go back and clear this up if it was inaccurate when then investigation first hit the ground. TCs report their round count. I don't know why it would say 2 OR. Our section only fired one, and that was me.

10. Why would the soldiers on the rooftop of COP Grant state that they took extremely accurate machinegun fire for several minutes prior to the explosion- only coax mounted 240 is that accurate?! Don't know. Coax ~~couldn't reach~~ ^{(3), (b)} that far cause it's like a click or two away. ~~is inaccurate~~ ^{(3), (b)}

a. It's actually only like 800M. Are you saying your coax wouldn't travel that far? ~~Roger~~ It can but is innacurate ^{(3), (b)}.

b. Why would the soldiers on the rooftop of COP Grant state that they saw a bright flash from East (vic Easy street and Eagle's Nest) less than a second before the explosion? I don't know. Maybe a rocket or something.

c. Why would the UAV show a projectile tracking your tank position and COP Grant within a minute of the C/2-37 log reporting that you engaged MG round? I don't know.

Initials

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

SWORN STATEMENT
DA FORM 2823 - Alt

F-3

d. Why would the soldiers on the rooftop of COP Grant state that shortly after the explosion they received more accurate coax fire for several minutes and that the firing stopped at about the same time that they called a cease-fire due to "spillover fire"? I don't know.

e. Why would the soldiers on the rooftop of COP Grant find pieces of the tailfin (stabilizing fins) and shrapnel of a 120mm round on the roof of COP Grant and right below the impact hole immediately after the battle? I don't know.

11. Miscellaneous comments off script. When we pulled up, I saw guys on the roof. My gunner said, "I see tracer fire." My coax kept jamming (3-4x). We tried to fix it on the spot, but then we had to back up (maybe twice) to elevate gun and clear coax. My TC had to get out of TC station into the loader's seat to fix the coax feed problems. When we had problems with coax, that's when we asked for MG. This was my first MG engagement, so that's why we asked. We had to get field grade approval (Manchu 6) cause our other platoon had laid a whole lot of MG into a mosque previously. That's when they decided that we needed field grade approval and it was for one round only. When we got approval, SSG⁽³⁾, (b) had to come back over to the loader's seat to load the OR round. His CVC was hooked up the whole time – the cable stretches all the way over to the loader's seat. Then he had to get back into the TC seat before I pulled the trigger. He had the knee guard up – he keeps it up all the time—but he didn't have the other cage up. I manually indexed to 200M when I got the bad Laze. SSG⁽³⁾, (b) didn't need to tell me to do that, I did it on my own. When I did that, he wasn't looking over my shoulder or anything...he's just letting me go, basically. I tried to hit the spot on the roof where I saw the most people, which was the left corner of the roof as I was looking at it. I saw people coming out onto the roof from behind some sort of door. That's where I seen all the people – at least four or five, and that's where I shot. After we shot, that's when we chased it with coax.

Prior to this interview, I had discussed the events of 2 February on a number of occasions with other members of the section to try to replay things so we could, you know, make sure we weren't forgetting anything. Prior to today, on each occasion that I spoke with an investigator, all the guys from the section were there (well not the drivers one time) and we all just kinda told the investigators (MAJ (b)(3), (b)(6) MAJ (b)(3), (b)(6) , then CPT (b)(3), (b)(6) (for the rebuttal statements)) what happened. We all talked through it and then filled out our sworn statements.

Initials

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

SWORN STATEMENT
DA FORM 2823 - Alt

F-3

STATEMENT OF SPL (b)(3), (b)(6) TAKEN AT Ray Barracks DATED 16 Apr 07

9. STATEMENT (Continued)

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

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

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

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

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

AFFIDAVIT

I, SPL (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 7. 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)

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

MAJ (b)(3), (b)(6)
HQ MNC-1 OSJA

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16th day of April, 2007 at Ray Barracks

(b)(3), (b)(6)
(Signature of Person Administering Oath)

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

AR 15-6
(Authority To Administer Oaths)

~~Exhibit 8~~ to IS-6 Investigation concerning 02 Feb COB GRANT engagement

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 2851; 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 Camp Corriegedor	2. DATE (YYYYMMDD) 20070210	3. TIME 1650	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS SPC	
8. ORGANIZATION OR ADDRESS C-CO 2-37 AR			

9. I, SPC (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
On the 2nd of February 2007 around 2am in the morning our crew C-33 and C-31 responded to a Qrf call from Eagles Nest. Eagles Nest was taking RPG and small arms fire. We pushed south of canal and turned west on mulaab. We set east of Eagles Nest. As we arrived Gmlrs strikes were occurring so they held us from pushing forward. As soon as they cleared us to move our victor Blue 3 set and faced southwest on easy street. Blue was orientated west on mulabb. I PID insurgents in building 39. I was only able to get a few short bursts w/ the coax b/c the coax kept jamming. Blue 1 handled most of the coaxial engagements. As I worked through the problem Dog 6 called for main gun on building 170. Blue 1 called to clarify because the building numbers did not match. To make sure there was no confusion. We shot tracers at the building and received the go ahead. It was same building we had been engaging building 39. Even while SSG (b)(3), (b)(6) was

10. EXHIBIT F-3A	11. INITIALS OF PERSON MAKING STATEMENT (3), (b)(6)	PAGE 1 OF 2 PAGES
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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 INDICATED.

STATEMENT OF (b)(3), (b)(6) TAKEN AT Camp Corrigocho DATED 20070210

9. STATEMENT (Continued)

loading the round I PID tracer fire coming from that building. I shot southwest. DP Grant wasn't even in the line of fire. After that ~~we~~ followed w/ coax that was the only time I shot west b/c I ~~insurgents~~ ^{insurgents} on the ground. After that a cease fire was called by Dog 6. Dog 6 then told us to face south on easy st and stay on station for 20 mins. Nothing else occurred and we were sent home.

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

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

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

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

STATEMENT OF SPC (b)(3), (b)(6) TAKEN AT Camp Loring, edo DATED 2 Feb 07

9: STATEMENT (Continued)

(This section is crossed out with a large X and contains several redacted areas labeled (b)(3), (b)(6))

AFFIDAVIT

I, SPC (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 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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10 day of FEB, 2007 at Camp Loring

(b)(3), (b)(6)
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(b)(3), (b)(6)
(Type name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

LOCATION <u>Ray Barracks</u>		2. DATE (YYYYMMDD) <u>20070228</u>	3. TIME <u>1154</u>	4. FILE NUMBER
LAST NAME <u>(b)(3), (b)(6)</u>	FIRST NAME <u>(b)(3), (b)(6)</u>	6. SSN <u>(b)(6)</u>		7. GRADE/STATUS <u>SPC</u>
ORGANIZATION OR ADDRESS <u>CCO 2-37</u>				

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

On Feb 2nd 2007 a ORF call was placed because eagles nest was under contact. We quickly reacted. Blue 1 was with us. Our call sign is Blue 3. We pulled up to eagles nest. We stayed short of the intersection of Mulaab Wy. and Easy St. We stopped short of the intersection to await for the GMLRS strikes. The GMLRS seemed to fall far awhile. We did not get the ok to push forward until the GMLRS were done. The GMLRS hit pretty close. Once we were cleared to move forward we moved closer to the intersection. Immediately I PID personnel on the roof. The personnel were definitely not U.S. or Iraqi Army. I did as I had no sign that they were hostile my driver actually saw tracer rounds. I began to engage with coax and the coax kept jamming. I tried to elevate my gun several times to try and fix the problem.

EXHIBIT <u>F-3B</u>	11. INITIALS OF PERSON MAKING STATEMENT <u>(b)(3), (b)(6)</u>	PAGE 1 OF <u>3</u> PAGES
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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 INDICATED.

STATEMENT OF SPL (b)(3), (b)(6) TAKEN AT Ray Barracks DATED 25 Feb 2007

STATEMENT (Continued)

The coaxial engagements were clearly ineffective. Blue 1 then requested main gun. Before I fired I clearly saw the building marked by coax. The house numbers had a discrepancy, 170 or 79. But I had visual at all times. I clearly saw the building and the insurgents because we were so close. There was no question on where I was shooting. The time we got cleared and the time we shot was several mins long. First thing was who would take the shot. Being as we were closer and we were frustrated because of the coax jam we decided I should take the shot. We then moved closer so I could get a better shot. The target building was southwest of the OP Grant was west of us. I never even seen the OP because I was locked on the target building from the start. I lased got flashing zeros. I then manually indexed 200 meters. There was a gap between the clearance and ^{(b)(3), (b)(6)} other the actual shot. I finally shot and with the size of the insurgents and buildings there was no way they were 900 plus meters away. At that distance the guys on the roof would be smaller. Another thing is I chased main gun with coax and finally got the coax to fire. Again I saw the rounds hit no way was I going to hit that accurately at 900 m. Also this was the only time my lines shifted west but only a little past the building because guys were fleeing. We then received a cease fire. Stayed on stationed 30 mins and then we left.

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

PAGE 2 OF 3 PAGES

F-3B

STATEMENT OF SFC (b)(3), (b)(6)

TAKEN AT Raw Barracks DATED 28 Feb 2007

STATEMENT (Continued)

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

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

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

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

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

I, SFC (b)(3), (b)(6)

AFFIDAVIT

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)

WITNESSES:

(b)(3), (b)(6)
1LT (b)(3), (b)(6)
C12-37 AR, APO AE 09074
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2 day of March, 2007 at

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

(Signature of Person Administering Oath)

CPT

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

(Type)
APT 136, UCMJ
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

1. Gunner and Crew experience.

a. How long have you been the gunner for 31? About 10-11 months. Since last March. I was on 32 but I moved over to be the LT's gunner then, and we fought together ever since then. We are very comfortable with each other and trust each other.

b. Did you qualify as a gunner prior to deployment to Ramadi? If not, who decided to move you to the gunner's position? Yes. I qualified as the gunner on 32.

c. Were you usually the gunner for 31? How many main gun engagements did you have in Ramadi? I was the habitual 31 gunner. We had lots of engagements in Ramadi. Maybe 30-40.

d. Did you have prior OIF experience? If so, when and with whom? Yes. I was a combat diver for the Navy and served in OIF in that capacity.

e. What was your normal crew composition? Me as gunner, (b)(3), (b)(6) as driver, the LT as TC, and when we rolled with a loader, PVT (b)(3), (b)(6) was the loader. We liked to run with a loader so the LT could focus on all the other shit going on.

i. How many combat missions had you gone on with the composition you used on 2 February? Quite a few, but we usually went with four when we were on QRF

ii. Did you usually conduct QRF missions without a loader? No.

iii. If so, what was the reason? PVT (b)(3), (b)(6) was sick that night and we were short in the company with the other missions we were doing, so LT decided to go without. In addition, we didn't want to put anyone else out there if we didn't have to.

iv. How many main gun engagements had SSG (b)(3), (b)(6) fired as a TC? How about LT (b)(3), (b)(6) SSG³(b)(6) had a lot of experience as a TC (2 Grafes, 2 Hohenfels) but had not fired a MG engagement as TC during the deployment. He had fired a lot in OIF 2 when he was the PSG's gunner. The LT and I had a lot of engagements. Like I said, probably 30-40 main gun.

f. What was the crew composition of the tank that qualified at your last gunnery of record? N/A This crew hadn't qualified together since I was from another section, but I had been with the LT for like 10 months.

i. If it was different than the composition you used that night, what was the reason for changing the team/crew composition? Injuries, illness, manning issues, etc.

Initials

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

SWORN STATEMENT
DA FORM 2823 - Alt

F-4

g. Describe the operational graphics that both you and 33 were using that night. I don't know. I know that there was some confusion between the building numbers that the LT was tracking and those that Dog 6 was tracking. I know that we were marking the building w/ coax so we were sure it was the right one.

h. How many times did your QRF support Eagles Nest? Probably 15-20 times, but most of the times we didn't do anything but sit there. They usually didn't really need us, they usually just kinda wanted us there. Usually that was all it took was for us to roll up and then dudes took off. I've been up there on QRFs four to five times at night.

i. Of those, how many times was COP GRANT in contact simultaneously? None.

2. CrewDrills.

a. What is the drill when you get a bad laze? What else causes a read of 0000 other than lazing a target at less than 200m? You recycle the laser and re-laze. It could be if you are lazing off/over the target or there is too much obscuration, you could get flashing zeros. If you know the target is short/close, then you drop switch back to coax, cause that will give you distance down to like 60 to 90M, then switch back to MG, select HEAT and manually input the distance. I don't know why they would have just entered 200, but manually inputting it wouldn't have been necessary if it was that close. I agree that TC could have hit boresight from his station and had gunner squeeze off the round at that distance. It wouldn't have made much difference for a target as close as what they thought they were shooting, but we are taught to input the range. A new gunner would want to follow that.

b. Were the AIF in the first floor, second floor, or on the roof? Roof

c. What is the STP battledrill for loading and firing when you are running on a 3-man crew? I don't know, but our drill was for the LT to drop over to the loader's seat, and load one round. He trusted me to be on target, so he would get in tight in the loader's seat to avoid the recoil. That way he would be in the loader's seat if we needed to fire a second round. That's the normal way to do it cause you want to be ready to shoot a second round. I don't know how SSG⁽³⁾, (b)(6) did it that night, but I think he would have got back in the TC station since (3), (b)(6) is (3), (b)(6). You know, he's new and no experience with being a gunner and had never fired MG before. SSG⁽³⁾, (b)(6) knew that, so I assume he would have wanted to be back in the TC station so he could have SA and validate the target. I don't remember him saying anything that night about where he was (TC vs Loader), but I think he said sometime later when we were talking about this night that he was back up in TC walking him onto the target.

d. Did you follow that crew drill that night? Right. We did, but ultimately we didn't shoot the MG. I know that when my 240b barrel got real hot and was malfunctioning, that we decided to change the barrel. The LT went to get the spare barrel which is back

Initials

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

SWORN STATEMENT
DA FORM 2823 - Alt

F-4

behind the loader's seat and we changed the spare barrel. Then we were going to fire MG so he was going to load OR or HEAT. I can't remember if he ever actually loaded it or not because SSG⁽³⁾, (b)(6) said that they wanted the shot. So the LT said it was OK for them to take the shot and we never ended up shooting. We didn't generally battle-carry a round since we needed Bn Level approval to fire anyway. That wasn't usually a problem since our crew generally had a loader, but on this night, the LT had to jump around from TC to loader. Also, we didn't battle carry that day because it was our last day so we didn't want to get a bunch of ammo out. Same thing with the coax. We normally carried around 3000 rounds of coax, but didn't want to deal with all the ammo turn-in issues, so we rolled with around 1000 rounds. We ended up going black on coax.

3. As you sat in the gunner's position, what radio traffic could you hear? Dog 6 net? Coms w/ 33? Internal coms? Coms w/ C-2-37 HQ? Any other message traffic? Internal only. I SWITCHED BETWEEN INTERNAL AND DOG NET.

4. You state that "SSG (b)(3), (b)(6) requested 1 MG round." Why would 33 say that D6 requested the MG on building 170? Why would others say that LT⁽³⁾, (b)(6) requested it? Who requested and why? I'm not exactly sure who requested the MG round. I just know that the LT decided to let SSG⁽³⁾, (b)(6) and (b)(3), (b)(6) take the shot since we had tons of action previously and SSG⁽³⁾, (b)(6) had not taken a MG shot this rotation and SPC⁽³⁾, (b)(6) had never taken one. Also, they had problems with their coax off and on so they were pretty much useless otherwise.

5. When you first rolled up to EN at 0125, you state that Dog 6 held you from pushing forward due to GMLRS. What was your position relative to 33? Who was in trail? Did you see SSG (b)(3), (b)(6) pull around your left and up into Farouk and Easy prior to him firing MG? We were initially in trail. 33 was in lead and we were directly behind him. After the GMLRS we pushed forward but he had coax problems, so I went around him to the north side of Malaab and set short of the intersection to the north side. He dropped to the south and was engaging

a. Were you engaging targets in L6, specifically bldg 170 prior to the GMLRS? If not, why would the OP West say that you were firing coax at Bldg 170 prior to GMLRS and that you continued to fire coax into what appeared to be the southern portion of L6 after the GMLRS? I don't think we were shooting L6 prior to the GMLRS but we were after the GMLRS. After the GMLRS, which was a total bust from what I could tell, I was scanning generally from somewhere between Baseline and Farouk on my left limit to well up into L6 on my right limit. We were engaging targets into L6 to the point that we needed to reload. I kept scanning back to my left checking back on (b)(3), (b)(6) cause I knew he didn't have any real experience on something like this - especially after we got approval to fire main gun (I was checking to make sure his SDZ looked clear). During most of the time that 33 was getting ready for MG engagement, LT was in loader's seat (until it was almost complete) cause he was initially going to fire the MG.

Initials

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

SWORN STATEMENT
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b. UAV never shows you where you claim to be from 0125 to 0145. It definitely does not show a tank into the traffic circle to the south (Farouk and Easy) w/ an orientation of SW. Are you sure 33 didn't move up there after the Cease fire was called? (after being shown video footage) I don't know. This doesn't make sense. I know that he pulled back to fix his coax, but he pulled forward. Yeah, I'm sure he was on my left, I think a little forward, when he was shooting.

c. You state that "LT had me scan over to Easy and ensure LOS as clear". I don't understand- where were you looking, what was orientation, where was 33 relative to you, what was his GTL and what was yours? See prior answer. He was on my left and I think a little forward. He was oriented into P10 towards the building on the NE corner, so I knew his SDZ was clear. I was generally West and NW, but I kept scanning as far south as him to check his position, but we were engaged too and had targets in our sector, so I couldn't worry too much about their orientation. I had my own sector to worry about.

d. What was the chatter prior to the MG fire? Only heard internal.

e. Discuss your coax engagements prior to and following the MG engagement? West by Northwest initially. After the MG engagement, we were engaging West between Baseline and ~~Farouk~~ ^{EASY} w/ some engagements to the North side of baseline. We were engaging numerous AIF from rooftops in the ~~Farouk area, and others north of~~ ^{BASELINE/EASY ST}

f. Why would the U.S. Soldier who manned OP South the night of the engagement state that there were no AIF firing from that building? I don't know. I remember thinking that he had shot a little left of where it looked like he needed to so it should've been right there.

g. Why would the U.S. Soldier who manned OP South the night of the engagement state that no tank round hit that building? I don't know. That doesn't make sense.

h. Why would he state that the tank fired from behind him (his 4 O'clock as he looked west)- indicating that the tank fired from Malaab and not from in the traffic circle on Malaab and Easy. I don't know; you know those Infantry guys. They were probably hunkered down when we showed up on site. They were always calling us when they didn't need us anyhow. I'm not sure why he would say that cause 33 should have been forward of him.

6. What was the target house number for the MG? 33 notes that it was Bldg 170 in which sector- 170 in L6 was the GMLRS target....you can't see 170 in P-10 since it is 4 rows back. Not sure the number. It was the corner house as far as I could tell, but I think they were shooting left of the corner building.

a. When you PID AIF in that building, which sight were you using? Thermal 3x or 10x? 10x cause you have to be able to see images clearly to make sure you aren't

Initials

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

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shooting friendlies. You have to look for IBA^{1/2} and helmets and such, and these guys were carrying flashlights. When do U.S. soldiers use flashlights? They don't, and I didn't see and Kevlar.

b. You state that you followed up the MG round w/ coax. Where were you firing coax?" If you were oriented SW to 39 why didn't you follow up your MG w/ coax on that target? Why would you shift your coax fire west? I don't remember where we were shooting right away...I thought it was right where he had shot, but then we saw AIF on the rooftops between us and Grant and began engaging them down Farouk and baseline (that is, the AIF on the roofs). ~~AND THE NEXT SIDE OF THE STREET.~~

Farouk & Baseline at a range about 200m to our front.

c. Why would C/2-37 log state that you were engaging AIF down Farouk on "rooftops"? Were you shooting straight down Farouk? ~~Yes~~ we were - after the MG round. ~~But generally we were shooting to the north of Baseline.~~ WERE SHOOTING DOWN BASELINE NW.

(3), (b)

7. Did your tank ever fire a MG round? No. The only MG round that night was (3), (b)

8. Who reported the round count to C/2-37? Why did they report that there were 2 OR rounds fired that night (1x OR for 31 and 33 each)? Why would they report 2x OR if you only fired the one round for the section? Why wouldn't somebody go back and clear this up if it was inaccurate when then investigation first hit the ground. TCs report the round count when they get back on a white board at the CP. I don't know why they reported 2 OR - there was only one.

9. Why would the soldiers on the rooftop of COP Grant state that they took extremely accurate machinegun fire for several minutes prior to the explosion- only coax mounted 240 is that accurate?! I don't know. It looked like they were taking fire from Farouk, and our tracer fire would maybe look like it was coming at them. ALL MY LAZES WERE 600 METERS OR LESS. COP GRANT IS OVER 1000 METERS.

a. Why would the soldiers on the rooftop of COP Grant state that they saw a bright flash from East (vic Easy street and Eagle's Nest) less than a second before the explosion? I don't know. It doesn't make sense. I couldn't see the round hit, but it looked like target smoke/dust/obscuration coming from where they were aiming in P10.

b. Why would the UAV show a projectile tracking 33's position and COP Grant within a minute of the C/2-37 log reporting that you engaged MG round? I don't know.

c. Why would the soldiers on the rooftop of COP Grant find pieces of the tailfin (stabilizing fins) and shrapnel of a 120mm round on the roof of COP Grant and right below the impact hole immediately after the battle? I don't know. Weren't there other tanks out there firing?

Initials

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

SWORN STATEMENT
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i. Q: Yes, but not anywhere near that direction. A: OK, well I don't know [why the 120mm would be there].

Miscellaneous comments off script: We were having to work down a man a lot due fact that a lot of folks got hurt. SSG (b)(3), (b)(6) had worked as Supply Sgt for several months cause the supply sergeant got hurt and then took leave.

Even though (b)(6), (b)(6) had not fired live gunnery, he was qualified – well not qualified – but knew what he was doing cause PSG made sure everybody was cross-trained. You always got to be ready to step up and take the next position, and if something happened to LT, I would step up to command the tank. He (b)(3), (b)(6) had worked w/ SGT (b)(3), (b)(6) who was squared away and knew what he was doing...and SSG (b)(3), (b)(6) had a lot of prior experience, both as a gunner in OIF 2 and as TC through Graf/Hohenfels.

During the time that we were set South of Eagle's Nest we were taking fire from Eagle's Nest itself (one of its OPs) but I wasn't worried about it...50 Cal. can't hurt my tank.

Prior to this interview, I had discussed the events of 2 February a few times with other members of the section but we were generally pretty silent about it – kinda keeping to ourselves. Prior to today, on each occasion that I spoke with an investigator, all the guys from the section were there (well not the drivers one time) and we all just kinda told the investigators (MAJ (b)(3), (b)(6) MAJ (b)(3), (b)(6) then CPT (b)(3), (b)(6) (for the rebuttal statements)) what happened. We all talked through it and then filled out our sworn statements.

Our log is maintained at the company CP where they are monitoring our radio chatter and that of the supported unit. It's not just some Private in there. It is an NCO who is battle tracking, and when something big like this is going on, the CO, XO, 1SG, PSG or any and all of them would be there monitoring the battle.

Initials

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

SWORN STATEMENT
DA FORM 2823 - Alt

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STATEMENT OF (b)(3), (b)(6) TAKEN AT Ray Barracks Friedberg GE DATED 16 Apr 07

9. STATEMENT (Continued)

~~(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)
(Signature of Person Making Statement)

WITNESS

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

MAJ (b)(3), (b)(6)
HQ MNC-1 OSJA'
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16th day of April, 2007 at Ray Barracks, Friedberg GE

(b)(3), (b)(6)
(Signature of Person Administering Oath)

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

AR 15-6
(Authority To Administer Oaths)

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

PAGE 7 OF 7 PAGES

~~ENCLOSURE~~ *ES*

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agrees

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 date
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by
ROUTINE USES: Your social security number is used as an additional/alternate means
DISCLOSURE: Disclosure of your social security number is voluntary.

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al.

1. LOCATION CAMP CORRIEADOR	2. DATE (YYYYMMDD) 20070210	3. GRADE/STATUS 1650
5. LAST NAME FIRST NAME MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS E-5 / ACTIVE
8. ORGANIZATION OR ADDRESS C Co 2/37 AR		

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

ON THE 2nd OF FEB 2007, MY BRF SECTION WAS CALLED OUT. WE MOBILIZED C33 AND C31 TO THE MULAB AREA. UPON ENTERING THE SECTOR D066 DIRECTED US TO WHERE MOST OF THE CONTACT WAS COMING. WE PUSHED SOUTH ON CANAL AND WEST ON MULAB ROAD. WE STOPPED EAST OF EAGLES NEST, DUE TO A GMLRS STRIKE AT LG B170. AS THAT STRIKE WAS BEING CALLED OUT, BOTH ARE TANKS, TOOK SMALL ARMS FIRE. C33 FLOXED SW AND MY TANK REMAINED WEST ON MULAB. C33 TC SSG (b)(3), (b)(6) IDENTIFIED THE AIF IN BUILDING 39. HE ASKED FOR MANGUN. MANCHU AUTHORIZED 1 ROUND. SSG (b)(3), (b)(6) CALLED UP HE WAS GOING TO FIRE OR, IT QUICKLY HAD ME SCAN OVER TO EASY AND ENSURE LOS WAS CLEAR. LT (b)(3), (b)(6) THEN SAID ON MY COMMAND FIRE. FIRE, WAS GIVEN, THE ROUND SMASHED INTO BUILDING 39, AND ALL FIRE FROM TARGET BUILDING ENDED. AFTER THAT ROUND WAS FIRED BOTH OUR TANKS ENGAGED AIF WEST ON FAROUK WAY. (ROOFTOP) TEN MINUTES LATER CEASE FIRE WAS GIVEN. OVER THE NET WE HEARD OP GRANT HAD TAKEN INDIRECT FIRE. DURING ALL THE ENGAGEMENTS BOTH TC'S USED SELF CONTROL, AND WATCHED TO ENSURE NO FRIENDLIES WOULD BE HIT.

10. EXHIBIT F-4A	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF <u>3</u> PAGES
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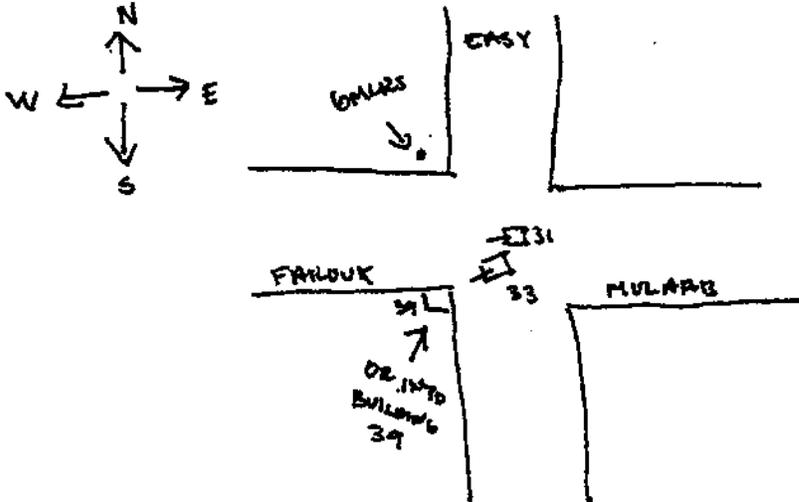
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

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

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF SOT (b)(3), (b)(6) TAKEN AT CAMP CORRECTION DATED 20070210

9. STATEMENT (Continued)



INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

STATEMENT OF Sgt (b)(3), (b)(6) TAKEN AT CAMP CORNING DATED 2007 02 10

9: STATEMENT (Continued)

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

AFFIDAVIT

I, Sgt (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.

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10 day of FEB, 2007 at

(b)(3), (b)(6)
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

LOCATION CAMP CORRIEVIDOR	2. DATE (YYYYMMDD) 20070228	3. TIME 1100	4. FILE NUMBER
LAST NAME FIRST NAME (b)(3), (b)(6)	6. SSN (b)(6)		7. GRADE/STATUS E-5-AD
ORGANIZATION OR ADDRESS C CO 21ST AR			

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

ON THE 2ND OF FEB 2007, MY QRF SECTION WAS CALLED OUT TO REACT TO CONTACT. C33 AND C31 WERE MOBILIZED TO THE MULAB AREA. UPON ENTERING THE SECTOR 006 G DIRECTED US TO WHERE MOST OF THE CONTACT WAS. WE STOPPED EAST OF EAGLES NEST, DUE TO A BMLRS STRIKE AT LG BITO. C33 FLEED SW AND MY TANK REMAINED WEST ON MULAB. MY SECTION INSTANTLY STARTED RECEIVING CONTACT FROM ALL SIDES. A MASS OF AIF WERE RUNNING ON ROOFTOPS ON FAROK AND MULAB. BEFORE ENGAGING I MADE SURE NO FRIENDLIES WERE PRESENT, SO AS TO AVOID COLLATERAL DAMAGE. USING LOGS ON THE AIF WAS INEFFECTIVE, DUE TO THEM USING COVER. 1LT (b)(3), (b)(6) CALLED FOR 1 ROUND OF MAINGUN. SSG (b)(3), (b)(6) IDENTIFIED AIF IN BUILDING 39. LT (b)(3), (b)(6) AND I SCANNED THE AREA TO ENSURE THE LOS WAS SAFE. LT (b)(3), (b)(6) GAVE THE COMMAND TO FIRE, SSG (b)(3), (b)(6)'S GUNNER SFC (b)(3), (b)(6) FIRED THE ROUND. THE ROUND SMASHED INTO BUILDING 39. CONTACT FROM BUILDING 39 CEASED, WHILE AT THIS TIME C31 WENT BLACK ON COAX. AFTER THIS BOTH TANKS ENGAGED AIF WEST OF FAROK WAY. A FEW MINS LATER CEASE FIRE WAS GIVEN, DUE TO INDIRECT FIRE ON OF GRANT.

EXHIBIT F-4B	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF <u>3</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

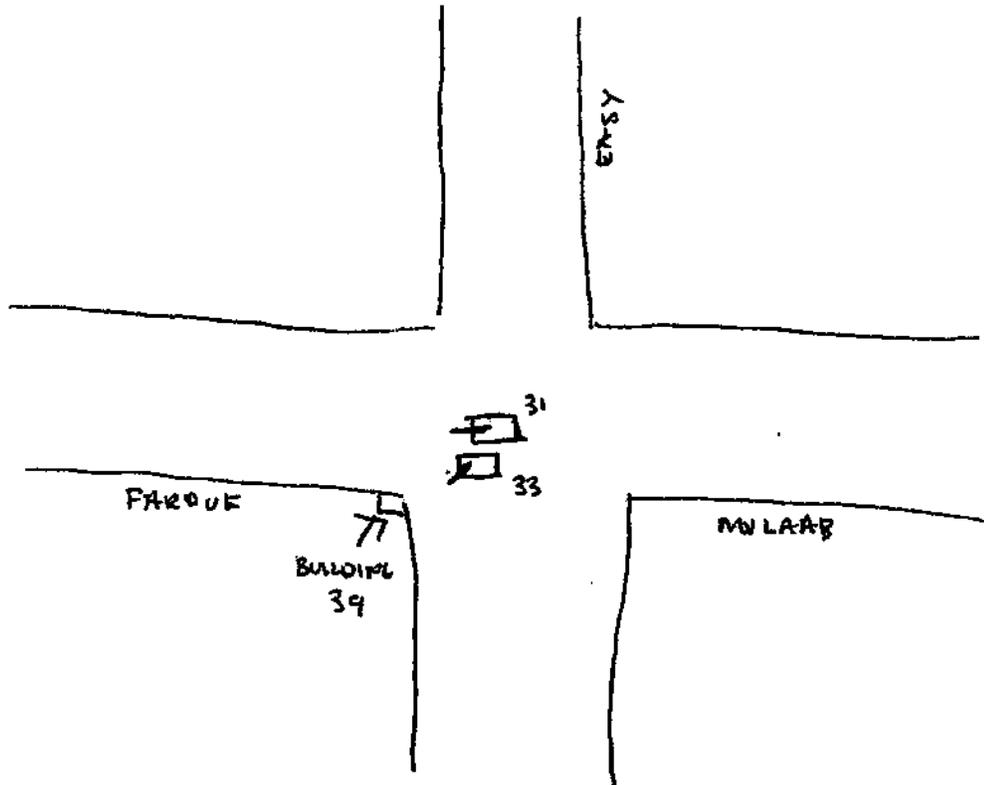
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF SGT (b)(3), (b)(6) TAKEN AT Ray Garza DATED 20070228

STATEMENT (Continued)

DURING THIS ENGAGEMENT SELF RESTRAINT AND SAFETY WERE USED BY BOTH TE'S. THE GUNLINE WAS CHECKED TO ENSURE NO FRIENDLIES WOULD BE HURT. I PERSONALLY SAW THE ROUND SMASH INTO BUILDING 39. I LAZED THE TARGET BUILDING, I RECEIVED FLASHING ZERO'S SAYING THE TARGET IS CLOSER THAN 200 METERS.



INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

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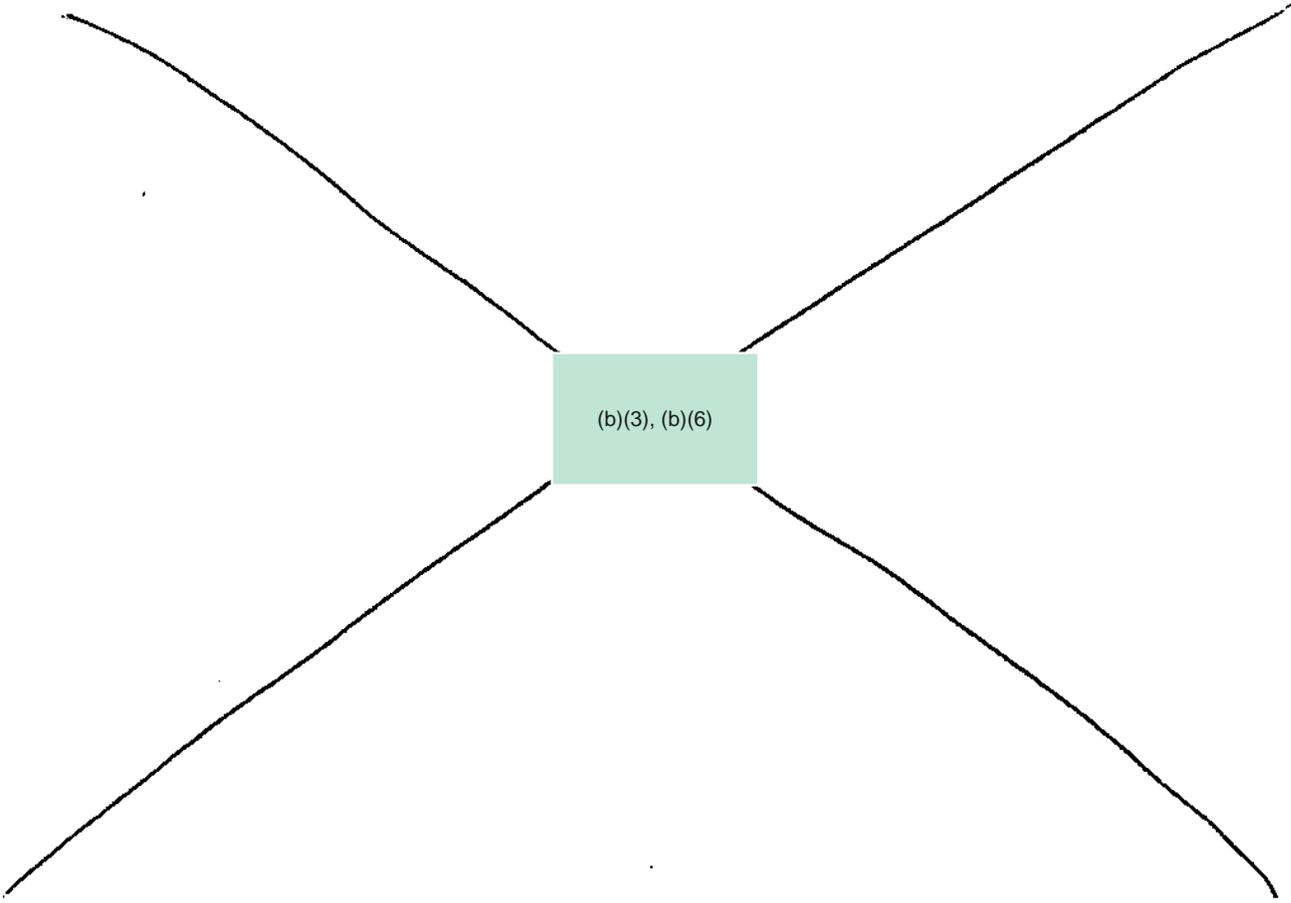
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STATEMENT OF 567

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

TAKEN AT CAMP CORRECTOR DATED 2007 02 28

STATEMENT (Continued)



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

AFFIDAVIT

I, 567 (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)

(Signature of Person Making Statement)

WITNESSES:

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2 day of March, 2007 at

1LT (b)(3), (b)(6)
BL 237 AB, AFDAE 09074
ORGANIZATION OR ADDRESS

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

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

CPT (b)(3), (b)(6)
(Typed Name of Person Administering Oath)
ART 136, UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

1. Gunner and Crew experience.

a. Describe your section's crew composition, experience, and why your wingman was 33. SPC (b)(3), (b)(6) was the gunner for 33 and SSG (b)(3), (b)(6) was the TC. SSG (b)(3), (b)(6) had a lot of experience as a 19K. He was a PSG's gunner in OIF 2 and had a lot of action, especially in the battle at Najaf. After OIF2 he got promoted so he was moved into a TC position. He qualified his tank twice at Graf and Hohenfels. However, his loader in Najaf (prior deployment) had taken a round straight into the loader's hatch which had obliterated the loader. Around August, SSG (b)(3), (b)(6) took an RPG to the turret that ^{missile struck} tore it off. ^{penetrated it} He was kind of a mess with flash-backs and what not, so after consult with combat stress folks, we took him off the line for a while. Since our supply sergeant got injured then ^{and} was on leave, we moved SSG (b)(3), (b)(6) into the Supply Sergeant position. He worked there and at the Company CP until our Supply sergeant came back. Sometime in December or January we moved him back out to 33. He had not had a main gun engagement this rotation prior to 2 February. SPC (b)(3), (b)(6) was a new gunner, who had been moved from a loader's job on 32 because we needed a gunner on 33 when SSG (b)(3), (b)(6) was moved to the supply room (33's gunner, SGT (b)(3), (b)(6) was moved to TC 33). SPC (b)(3), (b)(6) had several coax engagements prior to that night but no main gun engagements. On my tank, SGT (b)(3), (b)(6) and I had fought for around 10 months together and had numerous MG engagements (over 30). I rolled w/ 33 as my wingman that night because of the way that we had set up our crew rotations to meet all the different missions that we had. We rotated crews through the various missions (QRF, escort duty, mission support, reset) in such a way that none of the crews would get stuck with the same duty over and over again. The way we worked it out, either my PSG or myself would run QRF with one of the other crews. Otherwise, the rotation could end up where I had 2 wingman crews out on a QRF w/out either the PSG or my tank.

b. What was your normal crew composition? I normally rolled w/ a loader on QRF missions, but PVT (b)(3), (b)(6) was sick on the night of 2 February so we went without a loader.

- i. How many combat missions had you gone on with the composition you used on 2 February? *Quite a few but we usually went with four when we were on QRF. Countless - I rolled with this 3-man crew from April 2006 through November 2006.*
- ii. Did you usually conduct QRF missions without a loader? *No. Yes, but loader is preferable.*
- iii. If so, what was the reason? PVT (b)(3), (b)(6) was sick that night and we were short in the company with the other missions we were doing, so I decided to go without. *In addition, we didn't want to put anyone else out there if we didn't have to. Never said this.*
- iv. How many main gun engagements had SSG (b)(3), (b)(6) fired as a TC? See above.

Initials

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

SWORN STATEMENT
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c. Describe the operational graphics that both you and 33 were using that night. We had the old graphics – the ones that 1-506th had generated. The bldg numbers on the old graphics were different than on the new graphics that 1-9 IN had started using like a month or so before. We didn't have the new ones because we had run out of ink for the color graphics printers (Company) and I think that 1-9 had run out too. When we did the operation in ~~Sulamaniyah~~ ^{Sulaymaniyah}, we used up the last of the ink basically, then when we did the Julayibah mission, we had to get graphics from 1-9. Malaab wasn't really the priority at that time.

i. How did you clear up discrepancies between your map and the one that everyone else in the BCT was using? We had a TTP of marking the target w/ coax w/ the GFC letting us know that this was the right target. I marked the target for SSG (by shooting coax and this was verified by the D/1-9 PSG on site. I don't know how he was verifying it; I assumed that one of the OPs right around us was telling him that it was the right target. I was shooting the coax basically right over 33's back deck since he was pulled forward of me and to my left. I still had a clear gun line to shoot this since I was shooting high to mark the building. It's not like my coax was going to do anything to his tank anyhow.

ii. Why were you still using an old map over 3 months after the new map had been published by 1-9? As noted above, we didn't have the ink to print the new graphics.

iii. Did your tank need to be slaved prior to rollout on 2 Feb? What was SOP on leaving QRF on auxiliary power? It needed slaved. No SOP. We didn't use Auxiliary power. I had a battery problem with my tank. We were already at SP however, by the time they officially called for QRF because we had been monitoring the net and had heard that they got hit w/ like 8 RPGs at Eagle's Nest, so we knew the call would be coming and we had already got rolling.

d. How many times did your QRF support Eagles Nest? ~~Quite a few~~ *Many times* (b)(3), (b)(6)

e. Of those, how many times was COP GRANT in contact simultaneously? None.

2. CrewDrills. When I went without a loader, I would jump down to the loader's seat and load. Sometimes I would jump back up to TC and other times I would stay put at the loader's seat in case we ~~needed~~ *needed more main gun rounds.* (b)(3), (b)(6)

3. What radio traffic could you hear? Dog 6 net? Coms w/ 33? Internal coms? Coms w/ C-2-37 HQ? Any other message traffic? All of these. I was monitoring my Company net, internal coms, and when I contacted Dog 6, he had me drop down to the Platoon frequency of the platoon that was running out of Eagle's Nest that night.

Initials

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

SWORN STATEMENT
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4. Some state that "SSG (b)(3), (b)(6) requested 1 MG round." Others state that D6 requested the MG on building 170 and others state that you requested it? Who requested and why? ~~I think~~ I requested it, and then SSG³. (I said that he would take the shot.

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

5. When you first rolled up to EN at 0125, you state that Dog 6 held you from pushing forward due to GMLRS. What was your position relative to 33? Who was in trail? Did you see SSG (b)(3), (b)(6) pull around your left and up into Farouk and Easy prior to him firing MG? I was initially in trail and then I went up to the North lane of Malaab around him. At that point he dropped down to the South lane. He then pushed forward of me, which is why I had to shoot almost over his back deck to mark the target.

a. Were you engaging targets in L6, specifically bldg 170 prior to the GMLRS? If not, why would the OP West say that you were firing coax at Bldg 170 prior to GMLRS and that you continued to fire coax into what appeared to be the southern portion of L6 after the GMLRS? I don't recall firing that prior to the GMLRS since we were held back pending the strike, but I engaged any number of targets just south of Baseline, to include vic 170, and into L6(W by NW).

b. UAV never shows you (or more specifically 33) where you claim to be from 0125 to 0145. It definitely does not show a tank into the traffic circle to the south (Farouk and Easy) w/ an orientation of SW. Why would the video show you at different positions than what you claim? Are you sure 33 didn't move up there after the Cease fire was called? Well the UAV doesn't show us all that often. SSG³. (I backed up onto Malaab off of Easy after he shot, *due to machinegun malfunctions. He moved forward and backed up at least once.* (b)(3), (b)(6)

c. Discuss your coax engagements prior to and following the MG engagement? We were marking his target in P10, of course, and then we were also scanning back to the right and engaging AIF north of Baseline who were either firing at us or Grant from out of windows. A few minutes after the MG engagement (33), we were firing coax down Farouk – between Farouk and Baseline—at AIF who were on the roofs shooting at Grant. We had rounds ping us from the West, but I ~~know~~ ^{think} they weren't coming from Grant. It wasn't tracer fire. Even though tracer and ball look about the same through infrared sight, I kept popping up to look through visual night sights where you can see whether it was tracer. I could see tracer coming from Grant through night sight, but they were engaging the AIF to my front (approximately 400M to the front). They weren't shooting us that night, but three nights later, a Bradley from down on Baseline (in front of Grant) was engaging us w/ coax and 25MM.

d. As you pushed forward, how many firers did you observe on OP Grant? I don't know, I wasn't focused on Grant.

6. You state that you had SSG (b)(3), (b)(6) engage bldg 137 which is the same as 39. However 137 is the same as 38 (which has not been damaged, to date). Explain? He

Initials

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

SWORN STATEMENT
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rubbled the building he shot, which is the building to the left of 38 (I thought he was shooting 38 but he shot the one to the left).

a. Wasn't Bldg 39 largely rubbled before 2 February? That is, the building was blown to shit, how could AIF be using it? No, I've been there a lot before, and that building was not rubbled until SSG3 (shot it that night. I saw it when I pulled up into the intersection and it was still standing.

b. Why would numerous witnesses say that it was then? I don't know.

c. How far in front of OP South was building 39? Right in front of it.

d. Why would the U.S. Soldier who manned OP South the night of the engagement state that there were no AIF firing from that building? I don't know.

e. Why would the U.S. Soldier who manned OP South the night of the engagement state that no tank round hit that building? I don't know. I saw the obscuration coming from that building after SSG3 (shot.

f. 33 states that you handled most coax. How could you engage vic 39 w/ your coax if 33 was to your SW? Wouldn't you be shooting him? Were you shooting right over and around him or were you shooting West LAW your orientation you indicated earlier? I shot over his back deck to mark the building. I had to do it a couple of times because I wasn't getting a good response from him that he was tracking. Then he said, "OK I got it, I see your fire." I told SSG3 (he was clear to fire. He didn't fire immediately. It took him two or three minutes, and I asked him what was taking so long. He said he was pretty much ready, but he was getting back to station and putting up cages, or words to that effect. I remember him saying that over the radio.

g. Why would C/2-37 log state that you were engaging AIF down Farouk on "rooftops"? Were you shooting straight down Farouk? Roger. AIF on rooftops.

7. Did your tank ever fire a MG round? No

8. Who reported the round count to C/2-37? Why did they report that there were 2 OR rounds fired that night (1x OR for 31 and 33 each)? Why would they report 2x OR if you only fired the one round for the section? Why wouldn't somebody go back and clear this up if it was inaccurate when then investigation first hit the ground. I don't know how they got it messed up like that. We only shot one round and we reported one round.

9. Why would the soldiers on the rooftop of COP Grant state that they saw a bright flash from East (vic Easy street and Eagle's Nest) less than a second before the explosion? Maybe a rocket.

Initials

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

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a. Why would the UAV show a projectile tracking 33's position and COP Grant within a minute of the C/2-37 log reporting that you engaged MG round? I don't know. It doesn't show our tanks firing whatever that is.

b. Why would the soldiers on the rooftop of COP Grant find pieces of the tailfin (stabilizing fins) and shrapnel of a 120mm round on the roof of COP Grant and right below the impact hole immediately after the battle? There were other tanks on the battlefield that night. *It could have come from any of them.* (3), (b)

10. Why, in your last statement, do you account for the actions of others that you couldn't have personal knowledge of? How could you know what was happening inside 33? I just assumed that was what SSG (b)(3), (b)(6) was doing since he is squared away and (3), (b) was inexperienced. And he said on the radio that he was getting back up to TC hatch and putting up cages.

Miscellaneous comments off script

That night when we rolled, we were getting close to TOA. In fact, my other section had gone to Cp Ramadi to escort our 3-69 replacements over to Corregidor. We didn't want to have a big problem with ammo turn-in/xfer, so we were running light that night – especially coax. We would normally roll with our boxes totally full (up to 3000 rounds), but we were only carrying around 1000 rounds, or less, that night.

SSG (b)(3), (b)(6) was having a lot of problems with his Coax that night – numerous malfunctions. We didn't really have bad malfunctions, but our barrel got really hot and we started to have some problems, so we decided to change out the barrel. Since I didn't have my loader, I had to go to the loader's seat to get out the spare barrel. We changed it out and SGT (b)(3), (b)(6) began re-engaging w/ coax. I was monitoring the battle through the loader's site during that time. While I was there, we got permission from Dog 6 to fire the one main gun round. I loaded one round from the loader's seat because we didn't battle-carry any rounds in the tube and directed (b)(3), (b)(6) down into the intersection to get a better shot. Before I got back in my TC's hatch, SSG (b)(3), (b)(6) said that they could take the shot. Since he and (3), (b) hadn't had any MG engagements during the deployment and we were getting ready to leave, I said OK. I pulled the round out of the breech and got back up in my TC station.

Several minutes after the MG engagement I engaged AIF between Farouk and Baseline with coax. They were on a rooftop and firing at Grant. Grant was returning fire at them and in our general direction.

When I watched the video show from the IO, I don't know what fired the round that you see. Based on the UAV angle, you don't know exactly where it came from, what it was, or where it hit. There is nothing showing our tanks firing that round. Based on the angle of the UAV, the projectile could have come from somewhere off the line

Initials

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

SWORN STATEMENT
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Sworn Statement of LT (b)(3), (b)(6), (b)(6), taken at Ray Barracks, Friedberg, GE on 16 April 2007 at 1300 Hrs. Page 6 of 6 (not including affidavit page)

that it looks like it was flying. Also, there were other tanks on the battlefield that night that could have put 120mm rounds on COP Grant. The fact that our log has our main gun engagement at approximately the same time as the round is not proof since our recorder of the log already messed something up on the log when he reported 2 OR rounds when we only fired one.

Prior to today, on each occasion that I spoke with an investigator, all the guys from the section were there (well not the drivers one time) and we all just kinda told the investigators (MAJ (b)(3), (b)(6), MAJ (b)(3), (b)(6), then CPT (b)(3), (b)(6) (for the rebuttal statements)) what happened. We all talked through it and then filled out our sworn statements. I actually was witness to a number of their sworn statements.

Initials

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

SWORN STATEMENT
DA FORM 2823 - Alt

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STATEMENT OF 1LT (b)(3), (b)(6) TAKEN AT RAY BARRACKS GE DATED 16 APR 07

9. STATEMENT (Continued)

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

AFFIDAVIT

I, 1LT (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 7. 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)

WITNESS: (b)(3), (b)(6)
MAS (b)(3), (b)(6)
HQ MAIL, USJA
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16th day of April, 2007 at Ray Barracks, Friedberg, Germany
(b)(3), (b)(6)
(Signature of Person Administering Oath)
COL (b)(3), (b)(6)
(Typed Name of Person Administering Oath)
AR 15-6
(Authority To Administer Oaths)

SWORN STATEMENT

For use of this form, see AR 195-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 391; Title 5 USC Section 2051; 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: CAMP TQ; 2. DATE: 2007/02/09; 3. TIME: 1150; 4. FILE NUMBER; 5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(3), (b)(6); 6. SSN: (b)(6); 7. GRADE/STATUS: O-2/RA; 8. ORGANIZATION OR ADDRESS: C. CO 237 AR

I, ILT (b)(3), (b)(6) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: ON THE MORNING OF 2 FEBRUARY 2007 AT AROUND 0200 MY TANK (C31) ALONG WITH SSG (b)(3), (b)(6) TANK (C33) WAS CALLED OUT AS QRF TO SUPPORT D/1-9, WHICH WAS RECEIVING HEAVY RPG CONTACT AT OP EAGLES NEST. WE ARRIVED AT EAGLES NEST AND HELD OUR POSITION ABOUT 100 METERS TO THE EAST OF THE OP ON MULAAB RD BECAUSE A GMLRS STRIKE WAS INCOMING. AFTER THE GMLRS STRIKE, BOTH EAGLES NEST AND OUR TANKS WERE STILL RECEIVING CONTACT, AND BOTH TANKS WERE RETURNING FIRE WITH 7.62 COAX. IT WAS OBVIOUS THE ENEMY WERE DUG INTO THE NORTHEAST CORNER BUILDING OF THE P10 BLOCK AND THAT THE GMLRS STRIKE HAD MISSED. SO I REQUESTED AND RECEIVED PERMISSION TO FIRE 1 MAIN GUN ROUND FROM DQG COMPANY. I PUSHED BOTH MY TANK AND C33 FORWARD TO THE INTERSECTION OF MULAAB RD AND EASY ST. WHERE WE HAD CLEAR OBSERVATION OF THE TARGET BUILDING AND NO FRIENDLY FORCES WERE LOCATED BETWEEN US AND THE TARGET, WHICH WAS NOW LESS THAN 75 METERS AWAY. WE KNEW THAT OP GRANT WAS LOCATED APPROXIMATELY 900-1000 METERS DIRECTLY TO THE WEST, SO I VISUALLY CONFIRMED THAT THE OP WAS OUTSIDE OF C33'S SDZ. I THEN CALLED SSG (b)(3), (b)(6) ON THE RADIO AND ASKED HIM TO CONFIRM THAT HIS SDZ WAS CLEAR TO FIRE. HE THEN CALLED BACK, CONFIRMED WHERE OP GRANT WAS, AND THAT IT WAS OUTSIDE OF THE SDZ FOR MAIN GUN. BECAUSE OP GRANT WAS CLEARLY OUTSIDE OF IS SDZ, I GAVE SSG (b)(3), (b)(6) THE ORDER TO FIRE, AND I WATCHED THE MAIN GUN ROUND IMPACT ON THE TARGET BUILDING ON THE NORTHEAST CORNER OF THE P10 BLOCK.

Nothing Follows

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

Signature

10. EXHIBIT: F-5A; 11. INITIALS OF PERSON MAKING STATEMENT: (b)(3), (b)(6); PAGE 1 OF 1 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 INDICATED.

STATEMENT OF ILT (b)(3), (b)(6) TAKEN AT 1150 DATED 2007/02/09

STATEMENT (Continued)

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

AFFIDAVIT

I, ILT (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 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)

WITNESSES:

(b)(3), (b)(6)
C 2-37 AR
ORGANIZATION OR ADDRESS

(b)(3), (b)(6)
C 2-37 AR
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9th day of Feb 2007 at TO FROG

(b)(3), (b)(6)
(Signature of Person Administering Oath)

(b)(3), (b)(6)
(Typed Name of Person Administering Oath)
CPT, AR
(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

Enclosure 6 to IS-6 Investigation concerning 02 Feb COP GRANT engagement

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: Camp Corregidor, Ramadi, Iraq
2. DATE (YYYYMMDD): 2007 02 10
3. TIME: 1650
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(3), (b)(6)
6. SSN: (b)(6)
7. GRADE/STATUS: O2/RA
8. ORGANIZATION OR ADDRESS: C/2-37 AR, APO AE 09381

9. I, [redacted] (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
I am amending my previous sworn statement given on 9 FEB 07, when I wrote the statement I was at Camp Al Tagadum and did not have any maps or graphics to provide specific details. On the morning of 2 FEB 07, around 0200, SSG [redacted] (b)(3), (b)(6) (Tank Commander for C33) and I responded to a TIC at OP Eagle's Nest, Dog 6 held to the east of Eagle's Nest on Maleab Rd because of an incoming GMLRS strike on bldg 170 in the LG block. I had all hatches closed and so when the strike hit, I saw a flash to the West/NW, across the LG, so I couldn't tell if it hit. We still kept receiving a lot of incoming enemy small arms, so I requested use of main gun through Dog company, and they asked which building number, I told them that it was hard to be exact, but it was the Northeast Corner of P10, they asked if it was Bldg 170, I told them that my map was outdated but I would mark it with traces. I marked with cross, and D/1-A confirmed it was the correct house. Main gun use was approved, so C33 and my tank moved forward to CP 343. SSG [redacted] (b)(3), (b)(6) was situated to my Southwest, oriented southwest, I was about 10-15 meters away, oriented west with hull, but gun/turret orientation was southwest. SSG [redacted] (b)(3), (b)(6) reported he had main gun loaded and was ready to fire, I told him to confirm his SDZ was clear, which he did, and I doublechecked. I then called Dog 6 and told him that our SDZ was clear and were ready to fire main gun, he told us to send the round. I told SSG [redacted] (b)(3), (b)(6) to fire and he did. The round went into bldg 39 or 170 - it was hard to tell because bldg 39 is almost completely demolished, and they both share the exact same gun target line. The flash to bang time difference was instantaneous, it looked like the main gun

10. EXHIBIT: F-5B
11. INITIALS OF PERSON MAKING STATEMENT: (b)(3), (b)(6)
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [redacted] TAKEN AT [redacted] DATED [redacted]"

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 ILT (b)(3), (b)(6) TAKEN AT 1650 DATED 20070210

9: STATEMENT (Continued)

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

AFFIDAVIT

I, ILT (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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10th day of FEB, 2007 at Camp Lejeune, NC

(b)(3), (b)(6)
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

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 Ray Barracks, Germany, APO AE 09074	2. DATE (YYYYMMDD) 2007/02/28	3. TIME 1415	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS O-2/RA	
8. ORGANIZATION OR ADDRESS C Co, 2-37 AR Bn, 1/1 AD, APO AE 09074			

9. I, 1LT (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

The purpose of this statement is to reiterate and elaborate on my previous sworn statements regarding the engagement vic OP EAGLE'S NEST on 2 Feb 2007.

I was on duty as heavy QRF platoon leader during the night, with SSG)(3), (b)(6) as my wingman. We were both in our company CP listening to radio traffic from OP EAGLE'S NEST, which was receiving heavy small arms, RPG, and mortar fire. We heard Dog 6 call over the radio saying that the OP had been hit with 7 RPGs, so I ordered my tank and SSG)(3), (b)(6) tank to assume REDCON 1 status, meaning ready to deploy within 5 minutes in support of troops in contact. The batteries on my tank were old and when we arrived to a tank, it was necessary to slave start the engine. After the tank was fully functional and prepared for combat with the Thermal Imaging Sights functional and working, I heard Dog 6 report over the radio that a tenth RPG hit OP EAGLE'S NEST and that he was requesting heavy QRF support, which was approved as blue 3 (SSG)(3), (b)(6) (callsign) and I began moving through the ECP. Blue 3 took the lead, I followed in a section column formation, and we moved west on ASR Michigan, then turned left (South) on Canal Rd, then turned right (West) on Milaab Rd towards OP EAGLE'S NEST. When we initially turned South on canal, I made radio contact with Dog 6, who informed me that the contact was extremely heavy and recommended that our tanks close hatches due to the large amount of small arms and RPG fire and to change one of my radios to monitor his company net; at this point I was monitoring the C/2-37 company net and D/1-9 company net on my radios. Blue 3 and I closed hatches and continued to move. When we turned West on Milaab Rd, Dog 37, the platoon sergeant for the platoon on site, told me that there was an incoming GMLR strike on the L6 sector and to halt the movement of my tank section east of OP EAGLE'S NEST. Blue 3 stopped his tank on the north lane, just east of the barrier obstacles on the road (maybe 5-10 meters away). I maneuvered my tank to the left (south) of his tank, held position on line with him, approximately 3-5 meters away, and Blue 3 and I began scanning for enemy.

Almost immediately after we were set, we observed OP EAGLE'S NEST receiving fire from buildings in the vicinity of the P10 sector, and both myself and Blue 3 began receiving small arms fire from the same location. I reported the contact to Eagle's Nest and confirmed with Dog 37 that he did not have any men outside of the OP, and he confirmed that everybody was inside. Both Blue 3 and myself engaged the sources of enemy fire with short bursts of 7.62mm coax, at ranges of 300-400 meters to the west. I then called Dog 37 to find out when the GMLRs was going to hit and he said within a minute. Blue 3 and I continued to scan for targets and engage with short bursts of coax when the GMLRs hit in the L6 sector. I could not see exactly where the GMLRs hit, because it was obscured by OP EAGLE'S NEST, but there was no obscuration in the intersection because the wind was blowing from the south to the north, and so our engagement area remained clear and visible.

After the GMLR strike, we still continued to receive contact for about 3 minutes. Blue 3 and myself continued to engage with coax, but we were not able to successfully destroy the enemy because they were inside buildings. The range was less than 400 meters, and the contact was on the north of the P10 sector; I know that the engagement distance was that close because the vast majority of all engagements I've been in since May have all been at a max range of 500m, but usually within 200 meters. Also I could see the tracers hitting the target buildings where the insurgents were, and there was very little arcing on the rounds. I told Blue 3 to continue to push forward closer to the intersection so that we could get better fires on the northeast corner of P10 without risking injury to soldiers in OP Eagle's Nest. We moved forward again, breaking our line and Blue 3 in the lead of our section column, and we continued to engage insurgents in the northeast of P10. During this time, both Blue 3 and myself experience several malfunctions with our coaxial machineguns; mine was stopping every few rounds fired. In order to conduct immediate action on a tank coaxial machinegun, it is necessary to max elevate the main gun so that the gunner can check the weapon. My gunner, SGT 3), (b) elevated the gun, and I moved over from the TC station to the loader's station to put the turret in manual mode; this is done for safety, because it prevents the breach from moving and potentially crushing the gunner while working on the coax. SGT 3), (b) found that casings were getting stuck in the barrel. I gave him the spare barrel that we kept in the loader's station and he changed barrels out, after which the machinegun worked perfectly. SSG)(3), (b)(6) was also having issues with his coax, as he was getting misfeeds and he also had to elevate his main gun several times; our platoon SOP for this is for one tank to cover the other and pick up the wingman's sector until the fault is corrected. During the time SGT 3), (b) was fixing our coax, SSG)(3), (b)(6) coax was also down, so he covered me using his .50 cal, and once my coax was fixed I covered him while he fixed his coax. This way at least one tank was maintaining contact with the enemy.

Because we weren't decisively destroying the enemy, I called Dog 6 and requested the use of one main gun round in order to destroy the enemy inside the hardened buildings and to break their morale. Dog 37 asked where we intended to fire, I told him that the intended target was in the northeast corner of P10. He asked if I was talking about Bldg 170, and I replied that my map was outdated and the numbers were inaccurate, but that it was the

10. EXHIBIT F-5C	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 3 PAGES
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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 INDICATED.

F-5C

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF IL1 (b)(3), (b)(6)

TAKEN AT _____

DATED 2006/02/28

9. STATEMENT (Continued)

northeast of P10 and that it was the building that had the insurgents shooting at us (which I later found was 39, not 170, however at night it is difficult to tell the difference between the two and they are right next to each other, so this explains both Dog company's and our confusion as to the exact building number. I felt that the exact number was not very important, as they are right next to each other and the correct building to engage is the one containing enemy that is firing at friendly positions, and the precise number of the house in that case loses some relevance) and asked him to mark it. He told me that he didn't have anything to mark it with. I anticipated the main gun use being approved given the number of RPGs that hit Eagle's Nest, so I pushed forward past Blue 3 up to the intersection so that we could get a better and safer shot at the building; also, from where I was set previously, I could not see building 39 or 170. Blue 3 remained behind me, and I moved up past him on his right (north) side, about 30 meters away from him; I was in the north lane of Milab Rd along Easy St., he was in the south lane of Milab Rd. We now had an extremely clear shot at building 39, could identify insurgents engaging us with small arms, and could return fire. My hull was oriented due west, with my turret oriented south/southwest. My driver, SPC(3), (b)(6) was oriented west directly towards COP Grant with his driver's night sight, and reported seeing multiple flashes of turret guards next to SGT(3), (b)(6) because of the way that crew positions are set up in the tank, this is only possible when the turret is pointed to the left in relation to the hull. Blue 3 was oriented west at this point and was busy trying to clear his machinegun stoppages.

At this point Dog 6 called back and said that the use of one and only one main gun round was approved. I expected to be the one firing the main gun round, so I moved over to the loader's station and began to lower the breech, because I only had a 3 man crew. We keep our breeches raised during normal operations because when the breech is lowered and open, it puts a lot of stress on the springs inside of the gun, and because main gun use has to be approved by a field grade, there was never a situation where we had to fire main gun in an instant, there was always time to get approval and work the breech once approval was given. After I opened the breech but before I opened up the ammunition stowage rack, I radioed Blue 3 and told him that I was going to push my tank forward to get a better shot, and he called back and said that he would do it. I agreed, told him that he would engage the building, and to move his tank forward to ensure that he had a clean shot. After a brief pause, SSG(3), (b)(6) maneuvered his tank approximately 15 meters forward and to the left (south) of my tank and into the intersection. The way our tanks were oriented, his hull was oriented to the southwest and was in line with the target building. My tank's turret-hull orientation remained the same and my gun tube and optics were oriented at building 39, with my line of sight just to the left and above SSG(3), (b)(6) tank. I could tell that he was looking at the same thing I was, which was several insurgents taking pot shots at us with AK-47s. I called up Dog 37 and told him that I was going to mark the target building with coax and for him to confirm that both Eagle's Nest and my wingman were both tracking on which building was to be engaged with main gun. I engaged the building with coax, and Dog 37 reported over the radio that the building I had marked was 170 and that it was a historical enemy fighting position. I then called SSG(3), (b)(6) to confirm that he saw the building that I had just marked, and he replied that he did, and that it was going to take him a minute to get ready to fire. SSG(3), (b)(6) also had a three man crew, and because neither of us had carried, SSG(3), (b)(6) also was forced to move over to the loader's station, open his breech, load the main gun round, and then move back to the TC station after arming the gun, and then setting the recoil guards in place. Once he returned to his TC station, I called on the radio and asked him if his SDZ's were clear. He replied that his SDZ's were clear. I then went to open protected posture to confirm myself that his SDZ was clear. It is extremely important to note that because of the layout of buildings near Eagle's Nest, it would have been physically impossible for me to mark building 39 with coax from where my tank was originally situated. I would have had a block of buildings between my tank and the target, my proximity to the block would have prevented me from shooting over the top of them; there is no possible way that I could have successfully marked building 39 with coax without having moved all the way up to the intersection of Milab Rd and Easy St.

The SDZ for a main gun round is a 20 degree deviation from the center of the axis of the gun, with 15 degrees on either side for the petals if the round has petals. The arming distance for a main gun round is no more than 60 meters. The building that his gun was layed on was outside of 60 meters in distance; in addition, I could see that there was no possible way that friendly forces were located within the 35 degree danger zone of either side of the main gun's axis. Also, directly west of his tank were several buildings that were lying between his tank and OP Grant. During this deployment, I have fired over 40 tank main gun rounds at enemy fighting positions, several of those engagements located at OP Eagle's Nest both before and after the OP was established. I was also present when OP Eagle's Nest and OP Grant were established; my tank was set in an overwatch position on Farouk Rd, just west of the Easy St./Milab Rd. intersection oriented west for a combined total of 36 hours during both day and night hours. I have been on a QRF which deployed to OP Eagle's Nest on more than 20 occasions. As such, I am extremely familiar with the layout of the area and the location of friendly forces and positions, as well as appropriate and safe use of tank main gun in an urban environment. After a similar investigation involving a potential fratricide in December 2006, both myself and my tank commanders are extremely conscious towards potential fratricide and fratricide avoidances, and I knew that OP Grant was located 900 meters to the west and I did not want to be responsible for friendly casualties. Considering the factors at hand, being that the round would arm and detonate on target with little to no chance of the round not detonating and ricochet towards friendlies, that all friendly forces were outside of the SDZ, and that SSG(3), (b)(6) did not have a clear line of sight to OP Grant, I deemed that Blue 3's SDZ was clear and it was safe to shoot.

I then called SSG(3), (b)(6) on the radio and told him to report when his tank was ready to fire. A little less than a minute later, he told me that he was ready to fire. I then called Dog 6 on his net and reported to him that we were ready to fire and that both tank commanders confirmed that the SDZ was clear of friendly forces. Dog 6 acknowledged and gave permission to send the round. I then told SSG(3), (b)(6) to fire. He didn't fire initially, so I called him again on the radio and told him that he was clear to fire. He still didn't fire at that point, and after a few seconds he called me and said "Round on the way", I relayed "Round on the way" to Dog 6, and then I elapsed, due to the tanks repositioning, SDZ analysis, crew duties, and radio crosstalk.

Blue 3's main gun had several immediate noticeable effects. First, the target was successfully impacted and the round successfully detonated within 200 meters. I know this because I saw the flash of the gun tube and the explosion on building 39 the instant that I heard the boom from the main gun firing; if SSG(3), (b)(6) had actually been engaging OP Grant, there would have been a noticeable delay of almost a full second before the round would have hit the OP. Secondly, when the round impacted and detonated on building 39, a lot of dust came off of the building, and obscured the building itself. The wind was also blowing from south to north, because the dust blew into the intersection and obscured visibility to our west. Our general practice is to follow main gun up with a burst of 7.62mm machinegun fire to ensure that enemy forces are destroyed. I told my gunner (SGT 3), (b)(6) to engage where Blue 3 had shot with coax, but he said "Sir, I can't see it because of all the dust there, I think we should wait for it to clear out, I don't want to be shooting when I can't see." I agreed with him and my tank ceased fire. A third effect was that my driver was still oriented west towards OP Grant, and because he was using his driver's night sight to see, he was unable to see anything off to the sides of the tank, he just had a straight line of sight with OP Grant. After Blue 3 fired the main gun round, SPC(3), (b)(6) asked what SSG(3), (b)(6) had shot, because he couldn't see what he had shot

INITIALS OF PERSON MARKING

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

PAGE 2 OF 3 PAGES

STATEMENT OF ILT (b)(3), (b)(6)

TAKEN AT _____

DATED 2006/02/28

B. STATEMENT (Continued)

at. This means that my driver did not see the impact of the main gun round because he was looking west at OP Grant, and therefore the round could not have traveled west down Farouk Rd. and into OP Grant, because SPC(3), (b)(6) had been observing OP Grant receive mortar and RPG contact, and he would have certainly seen a main gun round had hit OP Grant. I also reviewed pioneer UAV footage taken that night; at the time 39:45 a projectile is traveling along Farouk Rd moving from East to West. Given the layout of my tanks, this could not have been a main gun round. Milaab Rd, which was the central axis between my tanks, and Farouk Rd do not run in a straight line. At the intersection of Easy St. and Milaab Rd there is a traffic circle, and Farouk Rd is offset to the south in relation to Milaab Rd. It is impossible for a round fired in line with Milaab Rd to travel along Farouk Rd, parallel perhaps, but along the path of the road it is simply physically impossible.

After the dust cleared from the main gun round, there was no enemy contact. I called SSG (3), (b)(6) to confirm his BDA against the enemy, and he confirmed two enemy KIA. After about 5 minutes, we began receiving small arms contact again, this time further west, along Farouk and also west on Baseline rd, which runs parallel to Farouk. I then had SPC(3), (b)(6) maneuver my tank further west and slightly to the north, so that I could observe north on Easy St, and my view to the west was partially obstructed by a power line tower. My runner identified insurgents firing from a rooftop, and from windows north of Baseline. I initially told him to engage, but then immediately ceased fire my tank. SGT(3), (b)(6) then told me that he didn't want to fire until we had 100% confirmation of where OP Grant was in relation to our new position. He scanned to the left of where the insurgents were, I would say a deviation of 35 to 40 degrees, and we successfully identified OP Grant. He then scanned back to the right for about 15-20 degrees and identified another building with an unusual silhouette and asked me if that was part of OP Grant. I looked through the GPS and double checked with my map, and confirmed that it was NOT OP Grant, it was a mosque. SGT(3), (b)(6) continued to scan to the right for another 30 degrees until he had the reticle layed on the building with the insurgents. He lased to the target multiple times to ensure that he was not receiving false returns. The electrical tower was to our west, so our gun tube was orientated northwest, and the maximum range returned was 500 meters. Because OP Grant is over 900 meters to the west and there was a significant amount of deviation and distance between the insurgents and OP Grant, I ordered SGT(3), (b)(6) to fire. I could see the tracers hitting the targeted building, confirming that it was a good lase, since tracer burnout for 7.62 is 900 meters and the trajectory of the bullets was flat. Both SSG(3), (b)(6) and my tank continued to engage insurgents using machineguns. SSG(3), (b)(6)'s tank ran out of 7.62mm coax ammunition in his ready box, and had expended his .50 caliber ammunition, so he was forced to max elevate his gun and backed up east of my tank so that I could cover him while he opened ammo cans and reloaded his ready box. Once he was up, he moved southwest again, and helped me engage the insurgents with my .50 cal by looking through his thermals and talking me on by watching my tracers. Shortly thereafter, I also ran out of 7.62mm coax in my ready box, and was forced to max elevate the gun, and open ammunition cans to reload the ready box. As soon as I had finished reloading the ready box, Dog 6 called and told us that OP Grant was conducting casevac and to stay on a watch and shoot status. He then assigned sectors of better observe north on Easy St. by moving further west, and SSG(3), (b)(6) moved his tank further to the west to get a better view down Easy St. We remained on station for another 30 minutes without receiving any enemy contact before Dog 6 released us back to Camp Corregidor.

After reviewing the tape, I noticed the object flying from East to West. Nine seconds before the object appears, it shows the intersection at OP Eagle's nest, and my tanks have not yet moved into the intersection; they are still on Milaab Rd. As far as I can tell, despite what the time on the video says, it could not have been a main gun round from SSG(3), (b)(6) because the main gun round was not fired until AFTER I marked building 39 with coax, and based on my tank's last visible position before the object, there is no physically possible way I could have successfully marked building 39 with coax. During the time frame of 45:00 through 45:22, one tank is moved up towards the intersection of Milaab and Easy street and is engaging enemy, the other tank is sitting further East on Milaab. This would have had to have been before the main gun round was fired; as I said before, I had anticipated on being the tank to fire the main gun round, but SSG(3), (b)(6) said that he would fire it, at which point he moved past me after sitting behind me initially and moved into position to fire. This was also the position that I marked building 39 from, not the location shown at minute 39:45. The footage shows from 45:00 to 45:22 is footage of my tank engaging enemy forces before the main gun engagement, not footage of my tank marking building 39. I did not mark building 39 until after SSG(3), (b)(6) had moved his tank forward, and his tank was in front of mine when he fired the main gun round, NOT behind mine. I have a great deal of familiarity with the area around OP Eagle's Nest in all conditions possible in Iraq, and I can say with complete confidence that the positioning of my tanks is as I described and the sequence of events, as best as I can remember almost a month later, is accurate.

AFFIDAVIT

I, ILT (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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2 day of March, 2006 at _____

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

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS _____

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

ART 136, UCMJ
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS _____

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

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 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: FRIENBERG GERMANY
2. DATE (YYYYMMDD): 2007 04 18
3. TIME: 1310
4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME: (b)(3), (b)(6)
6. SSN: (b)(6)
7. GRADE/STATUS: E-6 Active
8. ORGANIZATION OR ADDRESS: C. Co 2-37 AR FRIENBERG GE.

9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
USUALLY DONT GET CALLED OUT THAT LATE AT NIGHT. TO SUPPORT QRF I WAS CALLED TO EAGLES NEST 4-5 TIMES PREVIOUSLY, 2-3 WERE AT NIGHT BLUE 3. THESE ARE AFTER BEING PUT BACK ON BLUE 3. I WAS OFF THE TANK FROM WHEN I WENT ON LEAVE (AUG 28 - 16 SEP) & WAS GRUNDED TILL AFTER CHRISTMAS 2006. WAS BACK ON BLUE 3 MID-LATE DEC.
QRF OCCURRED EVERY 4 DAYS UNDER NORMAL CIRCUMSTANCES.
I WAS ON CALL FOR BACK TO BACK QRF SHIFTS BUT HAD ENOUGH TIME TO GET SOME REST.
SPC (b)(3), (b)(6) DID TEST & TRAINED ON THE UCFT. (WANEUR) BUT HE WAS NOT ASSIGNED TO MY TANK CREW THEN
I DONT KNOW HOW MUCH UCFT TIME HE ACTUALLY RECEIVED.

10. EXHIBIT: F5.5
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 INDICATED.

STATEMENT OF SSG (b)(3), (b)(6) TAKEN AT Friedberg DATED 18 APR 2007

9. STATEMENT (Continued)

GMLRS rounds ~~aimed~~ (I believe)
BLOG 17φ.

WHAT BUILDING WAS LT (b)(3), (b)(6) ASKING TO
ENGAGE -- ?
NOT SPECIFIC YET, WE WANTED MAIN
GUN APPROVAL. FIRST.

SO WHAT BUILDING WAS CALLED?

LT FIRE COAX ON BLOG TO SOUTHWEST
I OBSERVED (Hemo) his COAX FIRING
& ENGAGED THE TARGET. (P-10)

MY 5φ CAL ALSO MALFUNCTIONED. I LEFT
THE ~~P-10~~ ^{M-10} ~~UP~~ TO THE REAR INADVERTANTLY.

THIS WAS THE FIRST TIME OUR QAF ROLLED
UP WHEN BOTH COP'S WERE BEING
ENGAGED AT THE SAME TIME AT NIGHT

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

F-5.5

STATEMENT OF SSG (b)(3), (b)(6) TAKEN AT 1311 DATED 18 APR 2007

9. STATEMENT (Continued)

(30 MAR 04)
I WAS ENGAGED AS A GUNNER, hit while
I WAS A TC, MAN OVER 2 TIEDS SO
I ASKED THE ISG FOR A BREAK
HE AGREED + TOOK ME OFF THE TANK.

I SAW MAJ (b)(3), (b)(6) (SO?), THE BDE STRESS
CONSECON AS I WAS HAVING TROUBLE
SLEEPING -- IT DIDN'T HELP ME MUCH.

NOTHING FOLLOWS.

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

AFFIDAVIT

I, SSG (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)

WITNESSES:

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

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of APRIL, 2007 at FRIEDBERG GERMANY
(b)(3), (b)(6)
(Signature of Person Administering Oath)
(b)(3), (b)(6)
(Typed Name of Person Administering Oath)
15-6 INV.
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

F-5.5

SWORN STATEMENT

For use of this form, see AR 180-45; the proper agency is PMS.

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 2. DATE (YYYYMMDD) 3. TIME 4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME 6. SSN 7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS
C. CO 2/37 AR

I, SSG (b)(3), (b)(6) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
ON THE MORNING FEBRUARY 2 2007 AT AROUND 0200 HR. I WAS CALLED OUT FOR ORF ALONG WITH MY SECTION CAUSE EAGLES NEST WAS IN CONTACT AND RECIEVED 9 RPG ROUNDS SO WE SPUN UP AND DROVE DOWN THERE WHEN MY SECTION ARRIVED WE GOT IN CONTACT WITH DOG 6 AND HE CLEARLY NOTED THE SITUATION ON WHAT WAS GOING ON WHERE THEY RECIEVED CONTACT FROM . SO THEN HE TOLD US TO BUTTON UP CAUSE THEY WERE CALLING A GMLRS STRIKE OF SOME SORT I WAS RECIEVING CONTACT FROM THE SOUTH SOUTH WEST AREA, AN AREA IN WHICH I DIDNT HAVE EYES ON SO I WAS NOT PULLED ALL THE WAY UP TO EASY STREET . AFTER THE GMLRS STRIKE DOG 6 TOLD US WE WAS ALOUD TO USE ONE MAIN GUN ROUND TO THE BLDG TO THE SOUTH WEST (THE NORTH EAST BLDG OF P10) PULLED MY TANK UP TO THE CORNER OF EASY STREET AND AL MALAAB ROAD AND CLEARLY SAW MEAN SHOTING OUT THE WINDOWS AND A MAN ON THE ROOF THAT IS WHEN I LOADED THE MAIN GUN ROUND AND POINTED OUT THE BLDG TO MY GUNNER AND GAVE THE COMMAND FIRE . DURING ALL THAT WE WAS STILL RECIEVING FIRE FROM TAT BLDG AND ROUNDS WAS BOUNCING OFF MY FRONT SLOPE. SO MY GUNNER FIRED THE ROUNDS AND FOLOWED UP WITH COAX 7 62 UNTH. GIVING THE CEASE FIRE WHICH WAS GIVEN BY DOG 6 .

nothing follows

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

ENCLOSURE
23

10. EXHIBIT F-5.5A 11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6) PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(3), (b)(6) 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 SSG (b)(3), (b)(6) TAKEN AT 1150 DATED 2007/02/09

9. STATEMENT (Continued)

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

AFFIDAVIT

I, SSG (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 HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE.

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

WITNESSES:

(b)(3), (b)(6)
CIA 2-37 AR
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9th day of Feb 2007

at TO, Iraq
(b)(3), (b)(6)
(Signature of Person Administering Oath)

(b)(3), (b)(6)
CIA 2137 AR
ORGANIZATION OR ADDRESS

(b)(3), (b)(6)
(Typed Name of Person Administering Oath)
CPT, AR
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

QW05

PAGE 2 OF 2 PAGES

F-5.5A

~~1st Amended statement~~

ENCLOSURE 26

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agent

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated 1
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by w
ROUTINE USES: Your social security number is used as an additional/alternate means o
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION <u>Camp Co Regidor IRAQ</u>		2. DATE (YYYYMMDD) <u>2007 02 10</u>	3. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME <u>(b)(3), (b)(6)</u>		6. SSN <u>(b)(6)</u>	7. GRADE/STATUS <u>E-6 / SSG / RA</u>
8. ORGANIZATION OR ADDRESS <u>CCO 2/37AR</u>			

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

I will like to amend my previous statement Do to the fact of not having a map during the process. On the morning of February the second at around 0200 HR my Tanks (Blue 3, Blue 1) received notice that eagles nest was in contact. So we spoo up our tanks and moved down ASD Michigan slowly due to the fact of a possible IED on Michigan and canal. once I notice no IED I moved my tank at a high rate of speed to eagle nest. was told to drop to eagles nest net and get in touch with Dog 6. Once I did I asked him for a sidrep and that is when He told me to button up my Hatches cause they where calling in a gules strike on bldg 170 in zone L6. So we stood by about 50 to 75 meters ~~to~~ east of eagles nest. After the strike was conducted I requested permission to push my section to the intersect of easy street and Al Malab. Dog 6 replied with Roger Doso. So when I pushed over to the south side of Al Malab and crest the corner of easy street I started to receive constant fire from the south west (zone 210)

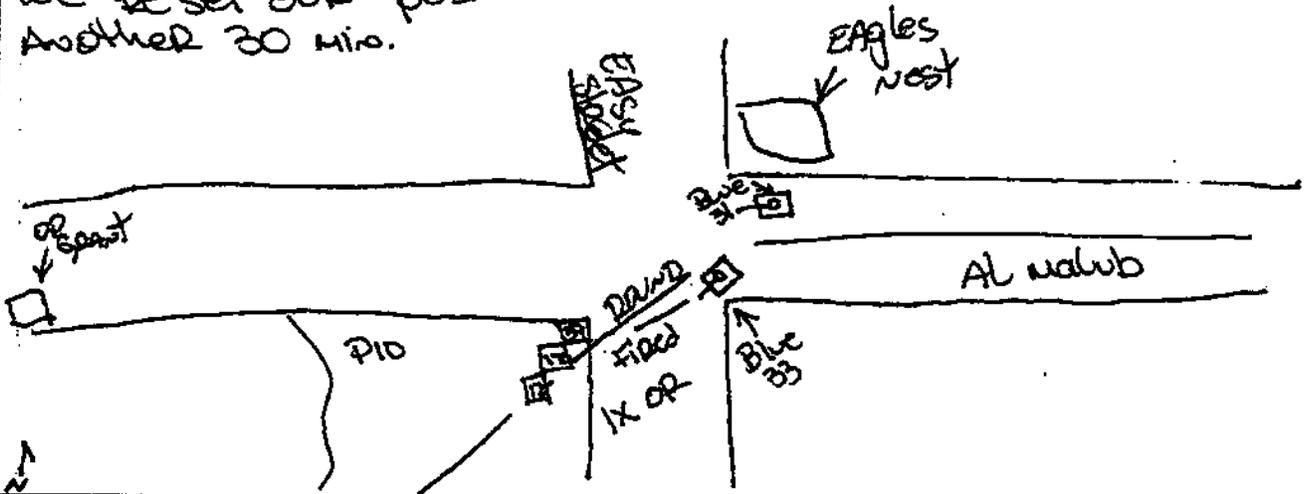
10. EXHIBIT <u>F-5.5B</u>	11. INITIALS OF PERSON MAKING STATEMENT <u>(b)(3), (b)(6)</u>	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT () EN AT () DATED ()

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)

when I stopped my tank I'm not sure if Dog 6 seen my tank getting shot at but he said we have permission to fire 1 main gun round. I pick my target and told my gunner spc (b)(3), (b)(6) where to fire his main gun round. when he lased he got bad lases so he called it. But what it was was the fact of main gun won't lase less then 200 meter. so I told him manually input 200M and fire. My gunner did. so and that is when Dog 6 said ok cease good job. there was no more shots fired and we re set our position and stood on station for about another 30 min.



AFFIDAVIT

I, SSG (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 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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 10 day of FEB, 2007 at CP Carrol

(b)(3), (b)(6)
(Signature of person Administering Oath)

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

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

F 5.5B

Enclosure 9 to IS-6 Investigation concerning 02 Feb COB GRANT engagement

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: Camp Corrigood
2. DATE (YYYYMMDD): 20070212
3. TIME: 0900
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(3), (b)(6)
6. SSN: (b)(6)
7. GRADE/STATUS: E-6/RA

9. I, SSG. (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
I will like to AMEND my previous AMENDED statement with the following. On the morning of February the second at around 0200hr my tank section (Blue 1 & Blue 3) received notice that eagles nest was in contact. So we spun up our tanks and moved down ASP Michingean slowly due to the fact of a possible IED on Michingean and canal. once I notice no IED I moved my tank at a high rate of speed to eagles nest was told to drop to eagles nest net and get in touch with Dog 6. Once I did I asked him for a sitrep and that is when he told me to button up Hatches cause they were calling in a gulf strike on bldg 170 zone 4b. So we stood by about 50 to 75 meters east of eagles nest after the strike was conducted I request permission to push my section to the intersection of easy street and Al Malab. Dog 6 replied with Roger Do so. So when I pushed over to the south side of Al Malab and crested the corner of easy street I started receiving constant fire from the southwest (zone P10)

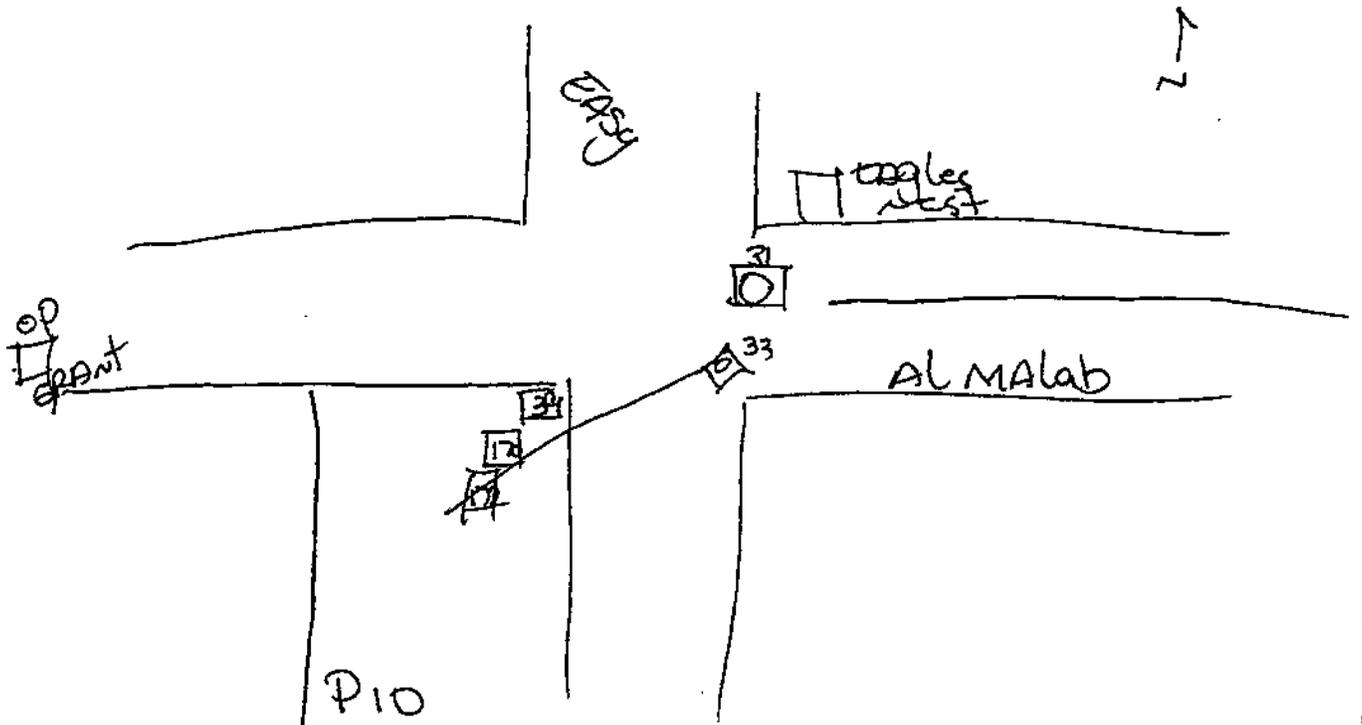
10. EXHIBIT: F-5.5C
11. INITIALS OF PERSON MAKING STATEMENT: (b)(3), (b)(6)
PAGE 1 OF 3 PAGES

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 INDICATED.

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT (Continued)

when I stopped my tank I'm not sure if Dog6
 seen my tank getting shot at but he said we have
 permission to fire 1 main gun round. I picked my target
 and told my gunner spc. (b)(3), (b)(6) where to fire his main
 gun round. When he lased he got bad lases so he
 called it. But what is was, was the fact of main
 gun won't lase less the 200 meters. So I told him
 manually input 200 meters and fire. my gunner
 did so and I also told him follow through with
 coax. so that is when Dog6 said ok good cease
 fire good job. there was no more shot fired and we
 reset our positions and stood on station for about
 another 30 min.



INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT (b)(3), (b)(6) TAKEN AT 0900 DATED 12 FEB 07

9. STATEMENT (Continued)

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 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

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

WITNESSES:
(b)(3), (b)(6)
WIT
(b)(3), (b)(6)
C12-37 AR, WIAID
ORGANIZATION OR ADDRESS
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12th day of February at (b)(3), (b)(6) (Signature of Person Administering Oath) (b)(3), (b)(6) (Typed Name of Person Administering Oath) Investigating Officer (Authority To Administer Oaths)

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

SWORN STATEMENT

For use of this form, see AR 180-45; 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 PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
USUAL 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.

LOCATION BLDG 4002 Friedberg Germany		2. DATE (YYYYMMDD) 2007 02 28	3. TIME 1545	4. FILE NUMBER
LAST NAME (b)(3), (b)(6)	FIRST NAME (b)(3), (b)(6)	6. SSN (b)(6)		7. GRADE/STATUS E-6 / RA
ADDRESS Cco 437AD APO AE 09074				

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

On the night of February 2, 2007 At around midnight I was told to start getting the guys Ready cause eagles nest was under attack. So I spun up the guys and listened in the TOC awaiting orders. After we heard that Eagles nest had received 9 RPG's Lt (b)(3), (b)(6) said Forget waiting on the word and said want up. So all of our guys ran out to the tank at around 0057 -> 0115 On the way down Michingon I was in the lead and informed that there was a possible IED on the route down there. So I just told my driver to slowly approach Michingon & canal intersection. So after we past the possible IED along the intersection I told my driver to pick it up. When I turned west on Al Malab Lt (b)(3), (b)(6) asked me to drop to Dog's net. So I told my driver slow down while I moved over to the loader station to switch one of my radios over to the Dog net.

EXHIBIT F-5.5D	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 3 PAGES
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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 INDICATED.

STATEMENT OF SSG

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

WITNESSED AT

DD2 Roy P. [redacted]

DATED

2007 02 28

STATEMENT (Continued)

MADE A RADIO check with Blue 1 & Dog 6 on the Dog net. then continued to Drive towards the Eagles nest. After traveling AROUND 100 to 200 meters west on Al Malab we was told the situation by Dog 6 and was told to button up (meaning close or Hatch) Due to the fact of a GULRS strike on the north west corner of CP 343 (Bldg ITO zone 16) so we did so. During that time I was trying to lay suppressive fire to the shallow (short) west but I HAD a lot of stoppages so blue 1 maintained suppressive fire while the GULRS strike was going on AND I fixed my malfunction.

After I fixed my malfunction AND the GULRS strike was completed Lt (b)(3), (b)(6) requested to fire 1 main gun round. (now that requested as got to be approved by a field grade officer) so that will take some time to get permission. so after we got approval I told Lt.

(b)(3), (b)(6) I'll load one up he said ok so I HAD to jump over all my guards and load a main gun round OR. (obstacle reduced) so I moved my tank through barriers at night and around a Humvee (which is not easy to do also take some time) then when I got to the corner of easy Dog 6 said Hit BLDG

ITO in zone P10. so I told him I didn't have

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

F-5.5D

11/04/06 V

STATEMENT OF SSG

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

TAKEN AT Red Bank

DATED 2007 02 28

STATEMENT (Continue)

A map with all the BLDG numbers. So I asked for them to mark the BLDG. That is when I saw round come from the north to south around CP 243. (corner of easy street & Al Malab) So after the round mark the target my driver said he saw rounds being shot toward our front of the tank when I put my gun on the bldg. he saw guys on the roof/patio area. So he went to lose with the LRF (Laser Range Finder) and we was so close that the range was flashing 0000. so I told him index coax that is the machine gun then lose. And he got 110 m. then he opened up his CCP (computer) and index 200 m. I told him to open it back up and make sure the range button was not lit up. After that Lt. (b)(3), (b)(6) said what's the hold up. I told him round on the way. And he said send it. we fire where we saw the men get and followed through with coax. 7.62. After that all firing stopped. my self and Blue 1 (Lt. (b)(3), (b)(6)) did a Re7 it cause the coax really holds 2400 round. But that is so heavy so I have my box pull down to 8x 400 round belts. so I back up while Blue 1 pulled security. We both pulled security.

I, SSG (b)(3), (b)(6)

AFFIDAVIT

WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT 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)

WITNESSES:

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2 day of March, 2007 at

1LT (b)(3), (b)(6)
CI 2-37 MR, MPO, AE 07074
ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

CPT (b)(3), (b)(6)
ART 136, UCMJ
(Authority To Administer Oaths)

TITLES OF PERSON MAKING STATEMENT
(b)(3), (b)(6)

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 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: RAY BARRACKS FRIENBERG, GE
2. DATE (YYYYMMDD): 2007 12
3. TIME: 1610
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(3), (b)(6)
6. SSN: (b)(6)
7. GRADE/STATUS: O-3/RA
8. ORGANIZATION OR ADDRESS: C/2-37 AR, 1ST BDE, 1ST AD APO AE 09024
9. (b)(3), (b)(6)

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

C-369 Arrived THAT DAY
BLUE PLATOON WAS ON QAF
WHITE PLATOON ESCORTED 3-69 WITH ME
MY GUNNER, MONITORING THE NET, INFORMED ME THAT QAF
HAD BEEN LAUNCHED.
I UNDERSTOOD 1-37 ALSO IN CONTACT -- COULD SEE
TRACERS OVER THE AOR.
SP'D BACK TO COMBLOON W/ AT LEAST 18 TANKS
+ 3-69 AR.
RP'D NO ISSUES. ARRIVED ~ 0200 AT COMBLOON. I
SAW C-137 CASUALTIES BEING EVACUATED AS THEY
PASSED OUR COLUMN.
GOT A SITREP FROM 1ST (b)(3), (b)(6) - DISCUSSED THE ENGAGEMENT
ABOUT PERMISSION TO SHOOT.

10. EXHIBIT: F6
11. INITIALS: (b)(3), (b)(6)
STATEMENT
PAGE 1 OF 3 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 INDICATED.

F6

STATEMENT OF (b)(3), (b)(6) - TAKEN AT Ray Barracks DATED 17 APR 07

9. STATEMENT (Continued)

I initially did NOT know what happened. NO UPDATES OVER THE NEXT COUPLE DAYS -- continued RIP TOA.

ABOUT 4-5 DAYS LATER, I heard they found tank RUMS FRAGMENTS -- maybe a mortar, BUT generally A LOW INFO FLOW.

SINCE TANK FRAGMENTS WERE VALUATED, I spoke with MAJ (b)(3), (b)(6) that investigation was BEING CONDUCTED.

WE WERE BEGINNING OUR RIP TOA -- THE CREWS ACTUALLY WERE AT TQ (PREPARING TO MOVE SOUTH)

EMailed MY XO TO TAKE STATEMENTS FROM 1LT (b)(3), (b)(6) SSG (b)(3), (b)(6) + THE 2 GUNNERS.

SPOKE w/ I/O MAJ C + 1-7 CO. THEY TOOK THE STATEMENTS + BRIDLED BOE CO.

FRATRICIDE INVESTIGATION CONCERNS -- BROUGHT THE TWO CREWS BACK. THE CONDUCTOR OF THE "RE-ENTRY" OF THAT NIGHTS SHOT, (IN C-3-69 TANKS)

WITHIN 48 HOURS I GOT PERMISSION TO ALLOW THE SOLDIERS TO RETURN TO GERMANY.

CPT (b)(3), (b)(6) informed me that 15-6 FINAIDIA WERE FRATRICIDE. CREWS THEN WROTE 3RD SET OF STATEMENTS ROLLED UP + FORWARDED TO MEF - COMPS.

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF CPT (b)(3), (b)(6) TAKEN AT Roy Barracks DATED 17 APR 07

9. STATEMENT (Continued)

CREW MANNING: HAS TO BE A 3 MAN CREW.
SP6 (b)(3), (b)(6) TOOK OVER AS GUNNER.
HAD PREVIOUSLY SHOT MACHINE GUN BUT NOT MAIN GUN.
NO POLICY TO MAN CREWS WITH 4 MAN CREW EXISTS
MASTER GUNNER (b)(3), (b)(6) PROVIDE SOME THG TO (b)(3), (b)(6)

SA DURING THE ELEVATION OF MAIN GUN IS
REDUCED TO THE INSIDE OF THE TURRET
THIS OCCURS FOR THE FEW SECONDS NEEDED TO
CLEAR OR FIX THE COAX.

OF 14 TANKS THREE HAD THREE MAN CREWS IN MY COMPANY
33 WAS A 4 MAN CREW - BUT (b)(3), (b)(6) WAS SICK AT THE TIME.

I ALSO SHOT MAIN GUN ROUNDS AS A 3 MAN CREW -- I WOULD
LOAD THE ROUND + TURN ACTION + SAFE THE GUN WITH MY FOOT
OTHER CREWS DO THIS AS WELL -- SOMETIMES TE ^{may have} STAY IN
THE WARDENS POSITION DURING MAIN GUN ENGAGEMENTS.

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)
(Signature of Person Making Statement)

WIT: (b)(3), (b)(6)
(b)(3), (b)(6)
NG MNC-1 OSJA
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17th day of APR, 2007 at Roy Barracks

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

ORGANIZATION OR ADDRESS

(b)(3), (b)(6)
(Typed Name of Person Administering Oath)
AR 15-6
(Authority To Administer Oaths)

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

F-6
F-6

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 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: Friedberg GE. 2. DATE (YYYYMMDD): 2007 04 18 3. TIME: 1102 4. FILE NUMBER:
5. LAST NAME FIRST NAME MIDDLE NAME: (b)(3), (b)(6) 6. SSN: (b)(6) 7. GRADE/STATUS: E-8 Active
8. ORGANIZATION OR ADDRESS: ISG Co Co 2-37 AR.

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

SSG (b)(3), (b)(6) was formerly a Gunner in the company, was a fearless fighter with hundreds of confirmed kills (not sure exact number) back from Iraq in May 2004, made SSG and got his own tank. (August 2004) I assessed him then as a good tank commander if he wasn't I would have moved him out. His tank turret was penetrated on our rotation he was injured, slightly. He continued to perform well, but was spooked by the event on this deployment, after his injury. He talked to me about his concerns, but he was mentally, more than physically disturbed by the event. I moved him into the supply room. SGT (b)(3), (b)(6) moved up as the TC of Blue 3. After I moved SSG (b)(3), (b)(6) into the supply room.

10. EXHIBIT: F7 11. INITIALS OF PERSON MAKING STATEMENT: (b)(3), (b)(6) PAGE 1 OF 3 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 INDICATED.

STATEMENT OF (b)(3), (b)(6) TAKEN AT Ray Boks DATED 18 Apr

9. STATEMENT (Continued)

SPC (b)(3), (b)(6) WAS BATTLE ROSTERED AS THE LOADER AND AFTER SGT (b)(3), (b)(6) TOOK OVER AS TC, SPC (b)(3), (b)(6) MOVED INTO THE GUNNER'S SEAT.

I SPENT A LOT OF TIME TALKING TO SSG (b)(3), (b)(6). HE TOLD ME ONE DAY HE WAS NOW READY TO GET BACK ON THE TANK.

HE IS RECENTLY MARRIED AND HAS A BRAND NEW BABY - THIS ALSO WEGLED ON HIS MIND.

I WAS COMFORTABLE WITH THE DECISION (CAMEX & CO'S) TO PUT HIM BACK INTO TC POSITION

WE WERE THE ONLY TANK COMPANY ASSIGNED TO THE INFANTRY BN. FIRST 1-506 + THEN 1-9 INF.

SPC (b)(3), (b)(6) WAS VACANTED BY THE PLATOON SERJEANT. THIS IS HOW I MADE THE DECISION.

MOST OF OUR TRAINING DOWN RANGE WAS NOT CONDUCTED WITH VALIDATED RESULTS (IE UCDFE ET) BUT WE DID TRAIN THE BEST WE COULD AND MADE DELIBERATE DECISION ABOUT THE MANNING OF OUR TANKS.

GETTING THE NEW (TF1-9) MAPS WAS A PROBLEM. WE DID NOT HAVE THE RESOURCES (PRINTERS ETC) TO PRINT NEW MAPS FOR EVERYONE.

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

PAGE 2 OF 3 PAGES

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

STATEMENT OF

TAKEN AT Ray Bales DATED 18 Apr

9. STATEMENT (Continued)

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

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

AFFIDAVIT

I, _____, 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)

WITNES:

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of APRIL, 07 at FRIEDBERG GERMANY

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

(Signature of Person Administering Oath)

MAY (b)(3), (b)(6)
HQ MNC-1 OSJA

ORGANIZATION OR ADDRESS

POC 324-3429

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

15-6
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

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 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: Frensburg GE.
2. DATE (YYYYMMDD): 20070418
3. TIME: 1156
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(3), (b)(6)
6. SSN: (b)(6)
7. GRADE/STATUS: SFC
8. ORGANIZATION OR ADDRESS: C/2-37 AR 1/1ARBCT

9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
SFC (b)(3), (b)(6) consulted TCGST Prior to Deployment.
SFC (b)(3), (b)(6) Trained as a loader on live fires.
I took SFC (b)(3), (b)(6) Personally 2-3 times out:
Switchology
Thermals
IO targets
I don't think he ever shot a man our
Name before that night's engagement.
Personnel rotations, leaves etc caused us to
change tank crew quite a bit -- this mandated
Soldiers changing positions + having the capability
to change positions.
SFC (b)(3), (b)(6) was in UCOFT prior to Deployment

10. EXHIBIT: F8
11. INITIALS OF PERSON MAKING STATEMENT:
PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(3), (b)(6) TAKEN AT _____ DATED _____
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF

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

TAKEN AT

Ray Brics

DATED

18 Apr

9. STATEMENT (Continued)

I tracked the crews through friend & foe IDENTIFICATION -- & demonstrated these with my own tank crew.

Three man crews was a routine event -- I myself went out with a four man crew caused primarily by our combat losses not being filled.

I fired 48 rounds myself in a three man configuration.

+ WANTED arms between 11-60 METERS.

BATTLE SIGHT RANGES could have been set but depending on your mission you would have to ADJUST it for longer or shorter RANGES.

SSG (b)(3), (b)(6) RE-ASSUMED HIS TC POSITION APPROXIMATELY 3-4 WEEK BEFORE 2 FEB EVENT HE HAD BEEN ASSIGNED AS SUPPLY NCOIC.

HE WAS OUT OF TC POSITION FROM ABOUT SEPTEMBER THROUGH BEGINNING OF JANUARY / END OF DECEMBER.

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

SSA (b)(3), (b)(6) was experienced on that particular intersection, but not as much as my other TC's given he was serving in the supply job for over 4 months.

IF you did not pull up into the intersection you could not have shot to the southwest --
- IF MASKED BY THE BUILDINGS TO SOUTH --
TANK TURRET & GUN WOULD HAVE TO PUSH FORWARD IN ORDER TO UNMASK THE TUBE, DETERMINING ON THE TANKS EXACT Firing POSITION.

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 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)

WITNESSES:
(b)(3), (b)(6)

MAJ (b)(3), (b)(6)
HQ MNC-1 OSTA
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of APR, 07 at FMIGTBVN (GEMM)

(b)(3), (b)(6)
(Signature of Person Administering Oath)

(b)(3), (b)(6)
(Typed Name of Person Administering Oath)
15-6

(Authority To Administer Oaths)

SWORN STATEMENT

For use of this form, see AR 19D-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION <i>Ray Barracks Friedberg, GE</i>	2. DATE (YYYYMMDD) <i>20070419</i>	3. TIME <i>0800</i>	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME <i>(b)(3), (b)(6)</i>	6. SSN <i>(b)(6)</i>	7. GRADE/STATUS <i>LTC / AD</i>	
8. ORGANIZATION OR ADDRESS <i>HHC, 2-37 AR BN</i>			

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

Three-man tank crews were authorized for operation during our combat tour in Iraq. Mid-tour leave, personnel shortages, and combat operations were the prime reasons for this authorization. Combat conditions in Ramadi necessitated that CF units provide 24/7 observation or maneuver presence on as many routes as possible to: (1) ensure freedom of movement for CF and ISF, and (2) deny mobility to the enemy along those same routes. As a result, every Soldier of all MOS's were constantly put into some sort of patrol or guard schedule which, in turn, created a real stress on the ability to constantly man 4-man tank crews. Although *a/2-37 AR* was not under my TF control since 15 May 2006, I believe these were most likely the conditions and operating assumptions they were using in their part of Ramadi.

10. EXHIBIT <i>F-9</i>	11. INITIALS OF PERSON MAKING STATEMENT <i>(b)(3), (b)(6)</i>	PAGE 1 OF <i>2</i> PAGES
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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 INDICATED.

STATEMENT OF (b)(3), (b)(6) TAKEN AT King Barracks GE DATED 19 APR 07

9. STATEMENT (Continued) (b)(3), (b)(6) Nothing follows (b)(3), (b)(6)
Nothing follows (b)(3), (b)(6)
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 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 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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19th day of April, 2007 at 0900

ORGANIZATION OR ADDRESS

(b)(3), (b)(6)
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(b)(3), (b)(6) MAS AR
(Typed Name of Person Administering Oath)
COMMISSIONED OFFICER
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6) PAGE 1 OF 2 PAGES