

DEPARTMENT OF THE ARMY
3d Heavy Brigade Combat Team
4th Infantry Division (Mechanized)
FOB Warhorse, Iraq
APO AE 09397

AFZC-FC-JA

22 February 2006

MEMORANDUM FOR RECORD

SUBJECT: Claim of [REDACTED] I: 06-3/4-248

1. Claimants name and address: [REDACTED], Baqubah, Iraq.
2. Incident date and place the incident occurred giving rise to the claim: Incident occurred on 15 Nov 05, in Baqubah, Iraq.
3. Amount of claim and filing date: Claimant filed a claim in the amount of \$10,000, on 18 Feb 06.
4. Chapter the claim was considered under and a brief description of the incident or of the issues raised by the claimant on reconsideration: Foreign Claims Act and Chapter 10, AR 27-20; claim filed for vehicle damage and compensation for father's death.
5. Facts: Claimant states that he was on his way to the local university with his father and a CF convoy shot and killed his father and caused serious damage to the vehicle.
6. Opinion: In order to form a basis for a claim under the FCA, the incident in question must have arisen outside the United States. In addition, the incident must be caused by either non-combat activities of the United States Armed Forces or by negligent or wrongful acts of military members or civilian employees of the Armed Forces. Judging by the pictures and rough layout of the site, the vehicle came too close to the CF convoy. The bullet extracted from the deceased also does not match any ammunition used by US forces.
7. Recommended Action: This claim is not payable under the FCA for the above mentioned reasons. Consequently this claim for \$10,000 is denied.



CPT, JA
Foreign Claims Commission

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Claims Form

To: United States Army Foreign Claims Commission.

From: Name: _____ Sex: _____
Address: Beyuban

I am a citizen and national of: _____

Name of Unit or US Personnel involved in incident: _____

Owner of property that was damaged: _____

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

My claim arose on: Nov 15 05
Month Day Year Time

Give a brief statement explaining how the claim arose and the nature of the damages.

Claimant's ^{fat} her parked my Beyuban in convenience and while
paying the service for her injury or (car) I shot at claimant's
dad and killed him in the export. That (MPC) Since claimant's
dad and left the area a claimant's dad was dropping
claimant off to school when this happened Pictures + Bullet
submitted as evidence

\$15,000 + 185000 (Vehicle + Death)

I claim as damages: (Indicate amount in U.S. dollars and local currency)

\$ 10,000 local _____

(Signature of Claimant)

Subscribed before me this 18 day of Feb, 2006.

(Print Name)

(Signature)

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