



DEPARTMENT OF THE ARMY
OFFICE OF THE COMMAND JUDGE ADVOCATE
116th BRIGADE COMBAT TEAM, 42nd INFANTRY DIVISION
KIRKUK, IRAQ, APO AE 09368

AUG - 1 2005
[Signature]

REPLY TO
ATTENTION OF

30 July 2005

Foreign Claims Commission

[Redacted] FY05-I9B-923
Hawija, Iraq

Mr [Redacted],

You filed an appeal regarding your claim that was denied on 27 June 2005. After reviewing your appeal and the new statement provided, it has been determined that your appeal is denied because your father's death was incident to combat.

Sincerely,

[Redacted Signature]

CPT, U.S. Army
Foreign Claims Commissioner

000257



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
OFFICE OF THE COMMAND JUDGE ADVOCATE
116th BRIGADE COMBAT TEAM, 42nd INFANTRY DIVISION
KIRKUK, IRAQ, APO AE 09368

18 June 2005

Foreign Claims Commission

[REDACTED] FY05-I9B-923

Hawija, Iraq

JUN 27 2005
[REDACTED]

Mr. [REDACTED]

I have considered your claim under the Foreign Claims Act, Title 10 United States Code Section 2734 as implemented by Army Regulation 27-20, Chapter 10.

Your claim is denied. The Foreign Claims Act does not authorize payment of claims related to combat activities, nor of claims where US negligence cannot be established. Your claim states that your father was killed by Coalition Forces while he was fishing with a friend. The U.S. cannot pay your claim because your father's death was incident to combat. I am sorry for your loss, and I wish you well in a Free Iraq.

Army Regulation 27-20 provides you the right to appeal this action. Deliver your appeal and any additional evidence to the Civil-Military Information Center in the Government Building within thirty days of receipt of this notice.

Sincerely,
[REDACTED]

CPT, U.S. Army
Foreign Claims Commissioner

Appeal Denied -
New Staff Says
he had a rifle

000258

CLAIM FOR DAMAGE .OR
INJURY DEATH

INSTRUCTION: Please read carefully the instruction on
the reverse side and supply information requested on both
sides of this form .Use additional sheets (s)

person from
approve
MBC

AMER

SITE OF THE ACCIDENT

On the bank of AL-ZAR
river round Haweyn

2-Name of claimants & Address:

Haweyn - Kirkuk

3. Gender

Male

4. DATE OF BIRTH

1988

5. MARITAL STATUS

Singel

6. DATE & DAY OF ACCIDENT

09-10-03

7. TIME

day time

The claim

Victims son claims his father was killed by
the C.F. while he was fishing with his friend
([redacted]), which have been killed also .

PROPERTY DAMAGE

INJURY

wrongfully killing

WITNESSES

NAME

ADDRESS

An eye witness - Haweyn

Amount of claim (IN Dollars)

12A PROPERTY

12b PERSONAL INJURY

12c WRONGFUL DEATH

12A

I CERTIFY THAT AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURY CAUSED BY THE ACCIDENT
ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THE
CLAIM

13a. SIGNATURE OF CLAIMANT

13b. Phone number of signatory

14c. Date of claim

3-04-05

CIVIL PENALTY FOR PRESENTING FRAUDULENT

CRIMINAL PENALTY FOR PRESENTING FRAUDULENT
CLAIM OR MAKING FALSE STATEMENTS