



REPLY TO
ATTENTION OF

HEADQUARTERS
MULTI-NATIONAL CORPS - IRAQ
OFFICE OF THE STAFF JUDGE ADVOCATE
BAGHDAD, IRAQ
APO AE 09342

FICI-JA-C

9 April 2008

MEMORANDUM FOR Brigade Commander, 3BCT, 101st Airborne Division (Air Assault)

SUBJECT: Closure of FCA Claim and Request to pay CERP to Claimant

1. The MNC-I Claims Division has closed the claim of (b)(6) Claim Number 08-I08-T002. The claim has been closed because it was denied under the Foreign Claims Act. In IAW with MNC-I CERP SOP dated April 2006, I respectfully request that you compensate the claimant for the death of her son with a payment under the Commander's Emergency Response Program in the amount of \$2,500.00.

2. I have met with the claimant, reviewed all of her evidence, and find the claim to be valid. The claim was denied under the FCA due to the combat activity exception. Around midnight on 9 December 2007 the claimant and her son were travelling in a passenger bus from Syria, returning to their home in Baghdad due to the improved security situation. The driver of the bus failed to react to the warning signals of an oncoming convoy, and as a result the claimant's son and other passengers were shot by U.S. Forces during an escalation of force. Claimant's son died as a result. Neither the claimant nor her son participated in any anti-Coalition Forces activity. After denial of her FCA claim, and upon further interview, the claimant illustrated that the Marines in MNF-W had offered her compensation by giving her a claims card, but she never returned to MNF-W after the incident to collect her compensation. Claimant now resides in Baghdad and cannot return to MNF-W for payment. She can be reached at phone number

(b)(6) or (b)(6)

3. Request you authorize payment of compensation in the amount of \$2,500.

4. Point of Contact for this memorandum is the undersigned at DSN: (b)(3)(b)(6), or via e-mail at (b)(3)(b)(6), (b)(2)High

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

Captain, JA
Chief of Claims, MNC-I

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