



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

7D

8 Feb 08

CONFIDENTIAL

(b)(6)

DENIAL CLAIM FILE CHECKLIST

(b)(6)

08

(b)(2)High

CLAIMS CHECKLIST

CLAIM NUMBER: 08I92T103

AMOUNT OF CLAIM: \$ 7000

CLAIMANT'S NAME: (b)(6)

DATE OF INCIDENT: 5 August 2005 DATE FILED: 3 January 2008 DATE RECEIVED:

CLAIM TYPE:

Vehicle Damage

Detainee Property

Damage During Raids

SAF Damage/Injury

Real Estate

Other

CLAIM AROSE FROM:

Combat Activities

Non-combat Activities

CLAIM IS:

(b)(5)

BRIEF OVERVIEW: The Claimant states that her home was damaged and her father was killed when coalition Forces engaged her house on accident

(b)(5)

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

REVIEWED BY: *SPC*

DATE REVIEWED: *3 Jan 08*

FCC COMMENTS

Deny - exceed statutory period. Unit on claims card is different from unit on Memo. Need more information than what is contained on the 2-12 CAV memo - this not from our AD

DATE APPROVED/ DENIED: *30 JAN 08*

DENIED

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

Denial Memo

APPROVED

Amount Approved: _____
Approval Memo
Settlement Agreement
SF 1034
Disbursing Officer Memo



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH INFANTRY BRIGADE COMBAT TEAM
MULTI-NATIONAL DIVISION—BAGHDAD
FOB FALCON, BAGHDAD, IRAQ
APO AE 09361

AFZN-BC-FCC

Claim o [REDACTED] (b)(6) 08-I92-T103

ACTION

1. Facts: The claimant alleges that on 5 August 2005, her house was damaged and her father was killed by U.S. Forces.
2. Opinion: The FCA permits compensation for damages caused by negligent or wrongful acts of US forces. There is insufficient evidence of negligence by U.S. Forces.
3. Authority: The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.
4. Action: The claim is therefore denied.

[REDACTED]
(b)(3), (b)(6)

CPT, JA
FCC I92



DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH INFANTRY BRIGADE COMBAT TEAM
MULTI-NATIONAL DIVISION—BAGHDAD
FOREIGN CLAIMS COMMISSION
FOB FALCON, BAGHDAD, IRAQ
APO AE 09361

February 8, 2008

4th Infantry Brigade Combat Team Legal Office

(b)(6)

Claim #08-I92-T103
Baghdad, Iraq

Dear Ma'am:

You have submitted a claim seeking compensation for the damage to your home and the death of your father by U.S. Forces. I have thoroughly reviewed your claim pursuant to the Foreign Claims Act (FCA), Title 10, United States Code § 2734, Army Regulation 27-20 (Claims) and Department of the Army Pamphlet 27-162 (Claims Procedures).

I have reviewed all the information included in your claim and the evidence from the resulting investigation. Unfortunately, your claim is not compensable. After reviewing your claim, it was determined that there was no evidence that US Forces acted either negligently or wrongfully. Accordingly, your claim must be denied.

If you are dissatisfied by this action, you may request reconsideration of the decision in accordance with Army Regulation 27-20. Any such request must be based on new or additional evidence and should be forwarded to this office. While there is no prescribed format for such a request, it must describe the legal and/or factual basis for relief. Any request for reconsideration should be made in writing within 30 days of your receipt of this letter. Thank you for your kind attention.

Sincerely,

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

Captain, U.S. Army
Foreign Claims Commission I92

Claims Form

طلب تظلم

Name: Foreign Language Text, (b)(6)

Address: (b)(6)

I am

a. A national citizen of: Iraq أنا احمل جنسية:

b. A permanent resident of: Abu Ghraib. ب. عنوان الدائم:

c. Employed by: / ت: أعمل لدى:

I hereby make a claim against the United States Government for damages or injuries caused by: (Name, Organization, Military Department, Address, and Telephone Number)

please see claim card -

أنا اتظلم لدى حكومي الولايات المتحدة للأضرار والإصابات التي نجمت من: (المنظمة، الوحدة العسكرية)

The property damaged is owned by: (If the claim is made as an agent, parent, or guardian, attach a power of attorney or other evidence of authority and fill in the form below for party sustaining the damage or injuries.)

House Damage by coalition forces - Person Death

الممتلكات المضررية مملوكة من: (إذا كان هذا التظلم قدم من قبلي أو قريبي أو عائل فالرجاء أحاطار المستنسكبات التي تخولكم وتوكلكم للتقدم بهذا التظلم ، أو أي دليل من ممثليين رسميين.
إملا التظلم بالأسفل للأفراد المتقدمين بالشكوى للإصابات أو الأضرار التي أصابتهم).

My claim arose at: Al Risala (Town) (b)(6) Baghdad (City) Iraq- (Country)

البلد أو المحافظة

المدينة

القرية تظلمي قدم في:

My claim arose on: Aug 5 2005
Month Day Year

تظلمى قدم في: _____
المس يوم شهر

Give a brief statement of the accident or incident on which the claim for damages to property or for personal injury is based, (Use back of this sheet if necessary.)

House Damage by coalition Forces and person death - affected
With wounded -

بالختصار أشرح ما حدث والأضرار التي أصابتك جراء ذلك ، سواء كانت جسدية أو ممتلكات . (الرجاء استعمال خلنية هذه الورقة إن لم تكن الأسطر لكتفي)

List in detail the amount of property damage and itemized expenses resulting from the property damage or personal injury; (Attach bills and receipts, if applicable.)

Item Amount
please see the track of Hell Damage

Total: _____

أشرح بالتفصيل متى تضرر والكلفة للممتلكات أو للإصابات الجسدية وتكلفتها (الرجاء إضافة الثبوتات والمتممكبات والفوائير الضرورية لكل شيء لوحدة)

تكلفة الشيء المتضرر

اجمالي التكلفة: _____

I was insured to the following extent against the damage or injury I have sustained:

لدى تأمين على الممتلكات أو الضرر الجسدي المتضرر بما يوازي:

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

§ _____ I.D. _____

طلاب بتعويض للأضرار بوازي (أكتب بالدولار الأمريكي أو العملة المحلية)

العملة المحلية

I (have/ have not) previously filed a claim relating to the incident described above.

سابقاً (فقط) (لم أقم) بتقديم بلاغ لهذه الحادثة المذكورة بالأعلى

To the best of my knowledge, another claim (has/ has not) been filed relating to the incident described above.

الحسن علمي طلب تظلم (قدم) (لم يقدم) لهذه الحادثة المذكورة بالأعلى

NOTE: BY SIGNING BELOW, YOU ARE SWEARING THAT THE INFORMATION PROVIDED IN THIS CLAIM IS ACCURATE AND TRUTHFUL. ANYONE WHO ATTEMPTS TO FILE, OR CONSPIRES TO FILE, A DUPLICATE OR FRAUDULENT CLAIM AGAINST THE UNITED STATES GOVERNMENT WILL FACE CRIMINAL PROSECUTION.

ملاحظة: بالتوقيع أسلف هذا التظلم فإن تقسم على أن كل المعلومات المقدمة في هذا التظلم هي صحيحة وحقيقة. أي شخص يحاول تقديم تظلم كاذب أو مختلط أو غير صحيح، يتحمل المسؤولية الكاملة عنه.

(b)(6)

(Signature of Claimant)

توقيع النظم) الرجاء كتابة الأسم والتوكيل

Subscribed to me this _____ day of _____, 200_____.
(Handwritten signature)

(Signature of Witness)

(Printed Name)

137000

(b)(6)



HEADQUARTERS, 2ND BATTALION, 12TH CAVALRY REGIMENT
2ND BRIGADE, 1ST CAVALRY DIVISION
APO AE 09324

REPLY TO
ATTENTION OF

WAGPTO-HIIC-S5

MEMORANDUM TO: Claims Office, Government Information Center, Al-Monsour

SUBJECT: Legitimacy of Claim

1. This is to validate the claim of [REDACTED] (b)(6) On the 17th of April her home was mistakenly engaged by Coalition Forces resulting in severe structural damage to her home.
2. Her father was also [REDACTED] involved in the same engagement.
3. POC for this memorandum is [REDACTED] Cpl. [REDACTED] Battalion S-5, 12th Cavalry Division.

[REDACTED] (b)(3), (b)(6)

[REDACTED] Battalion S-5

[REDACTED] Illegible Text, Nonresponsive

Foreign Language Text, (b)(6)

certificate
death

Foreign Language Text, (b)(6)

Iran Forces Damaged caused damage on claimant house

The Location of the house is Al Risala Area

Foreign Language Text

Damage on in front of the house windows / roof

Foreign Language Text

Foreign Language

To Baghdad

To Al Firdosa

house Damaged

Foreign Language Text, (b)(6)

Foreign Language Text

*Facabian forced shot affine to the claimant
and killed her Father.*

Foreign Language Text, (b)(6)

Foreign Language Text

Foreign Language Text, (b)(6)

08-I92-T103-00015

28089

Page 16 redacted for the following reason:

Foreign Language Text, (b)(6)

Foreign Language Text

Please allow these
ladies to submit these
claims as I am personally
tracking the status of +

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

SPC
2 Bct Unit C
Investigating

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

Foreign Language Text, (b)(6)



HEADQUARTERS, 2ND BATTALION, 12TH CAVALRY REGIMENT
2ND BRIGADE, 1ST CAVALRY DIVISION
APO AE 09324

REPLY TO
ATTENTION OF:

WAGPTO-EHC-S5

5 May 2

MEMORANDUM TO: Claims Office, Information Center, Al-Mansour

SUBJECT: Legitimacy of Claim

1. This is to validate the claim of [REDACTED] (b)(6) On the 17th of April her home was mistakenly engaged by Coalition Forces resulting in severe structural damage to her home.
2. Her father was also fatally wounded in the same engagement.
3. POC for this memorandum is CPT Heaton, 2-12 Cav S-5, 2nd BDI, 1st Cavalry Division.

Foreign Language Text

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

Battalion S-5

ACI CLAIMS
OCKET
CARD

1. I pay claims to Iraqi civilians for property damage, injury and death caused by US Forces.

2. If your unit is involved in an incident resulting in damage to property of an Iraqi civilian, or the death or injury of an Iraqi civilian:

Fill out the required information below.

3. Give this card to the Iraqi civilian, or other appropriate person. In case of death.

4. Direct civilian to the nearest General Information Center or the Iraqi Assistance Center. Do not damage them anything.

5. Upon return to your FOB, complete DA Form 21-3. Describe the incident completely and forward to your nearest legal office. NOTE: This information is NOT an admission of liability by the soldiers involved and will be used only to standate a claim against the US Army.

UNIT HAT III ACP

DATE 5 Aug 05

LOCATION (b)(2)High

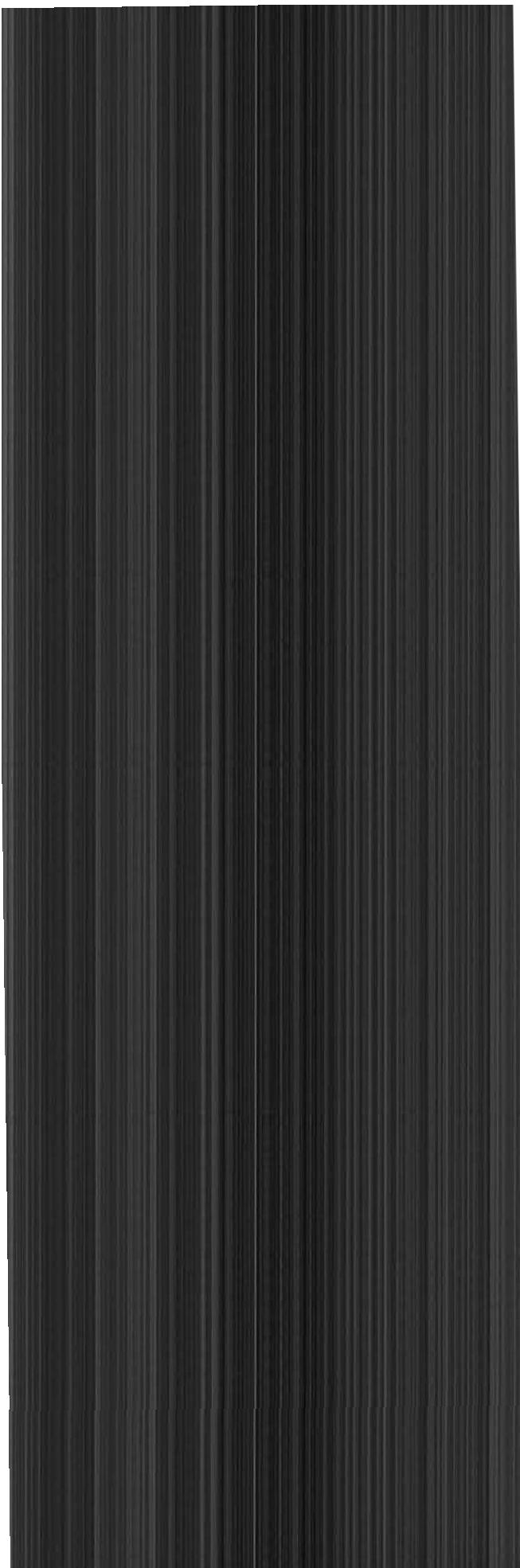
TYPE OF INCIDENT (b)(2)High

about original claim card.

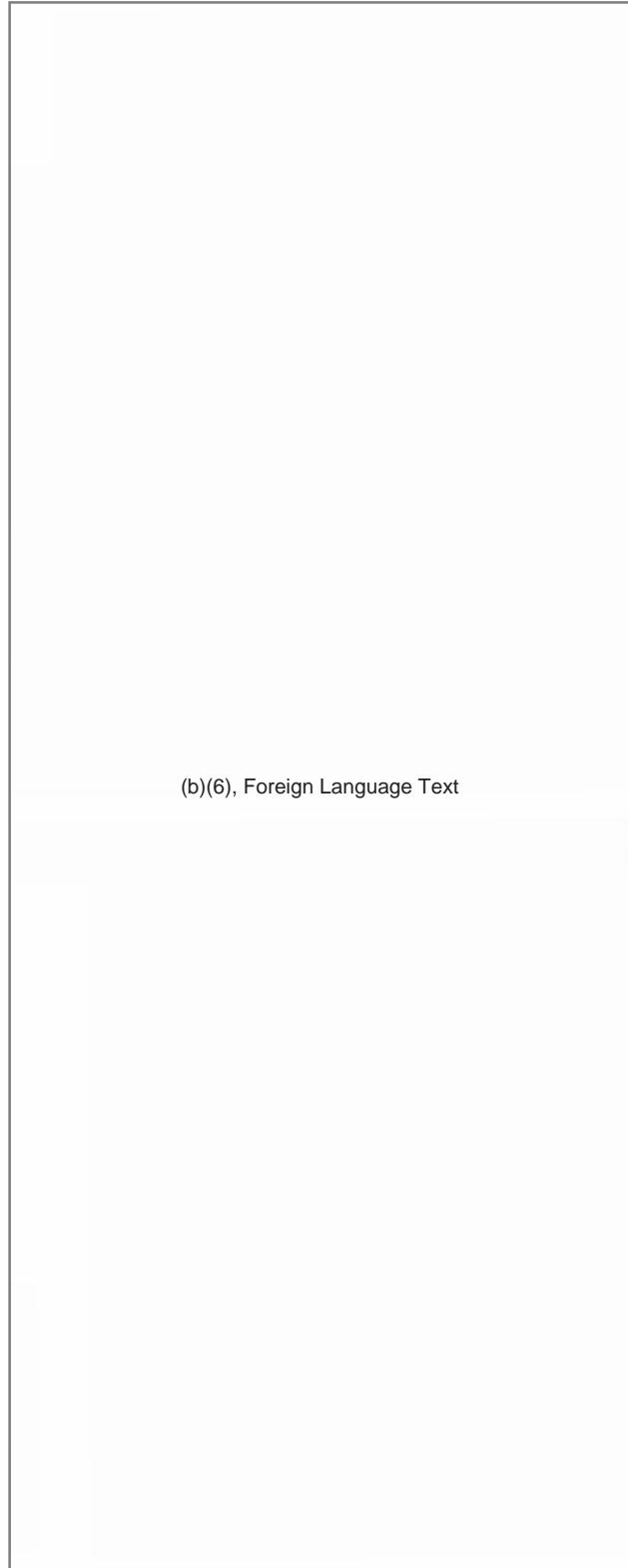
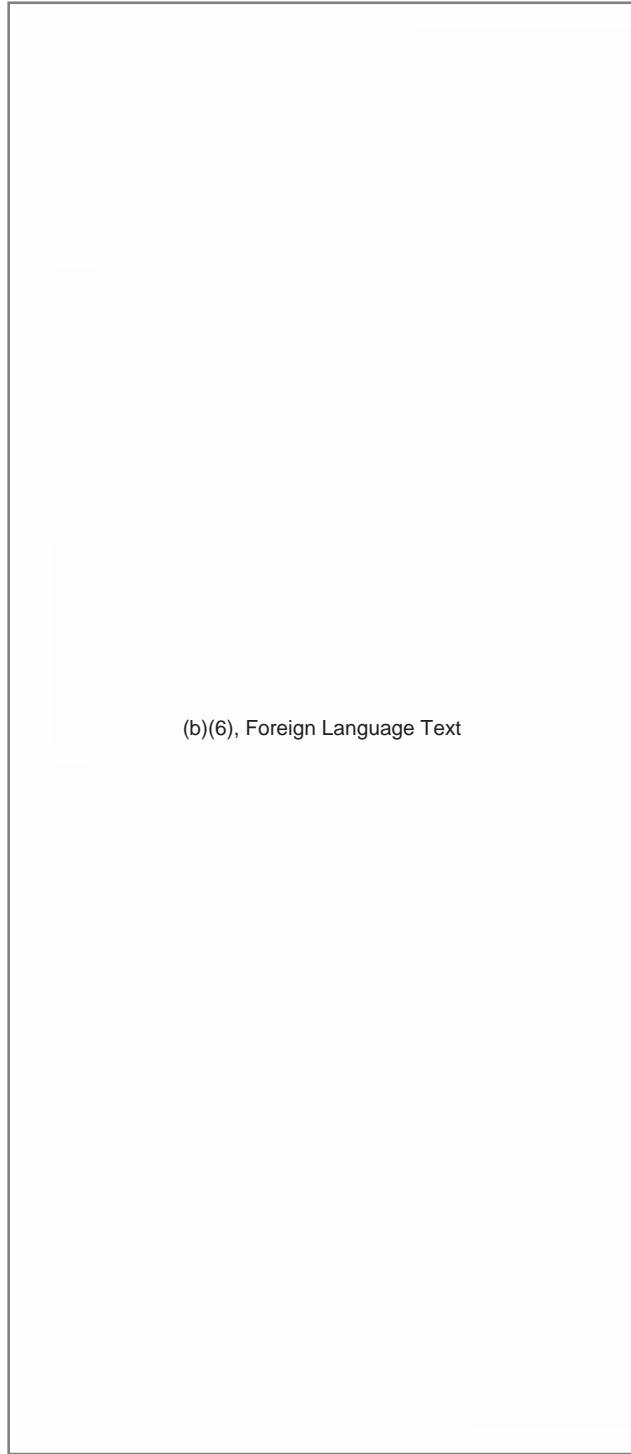
she said that while her son trying to make the claim he got a shot and killed so he lost the original

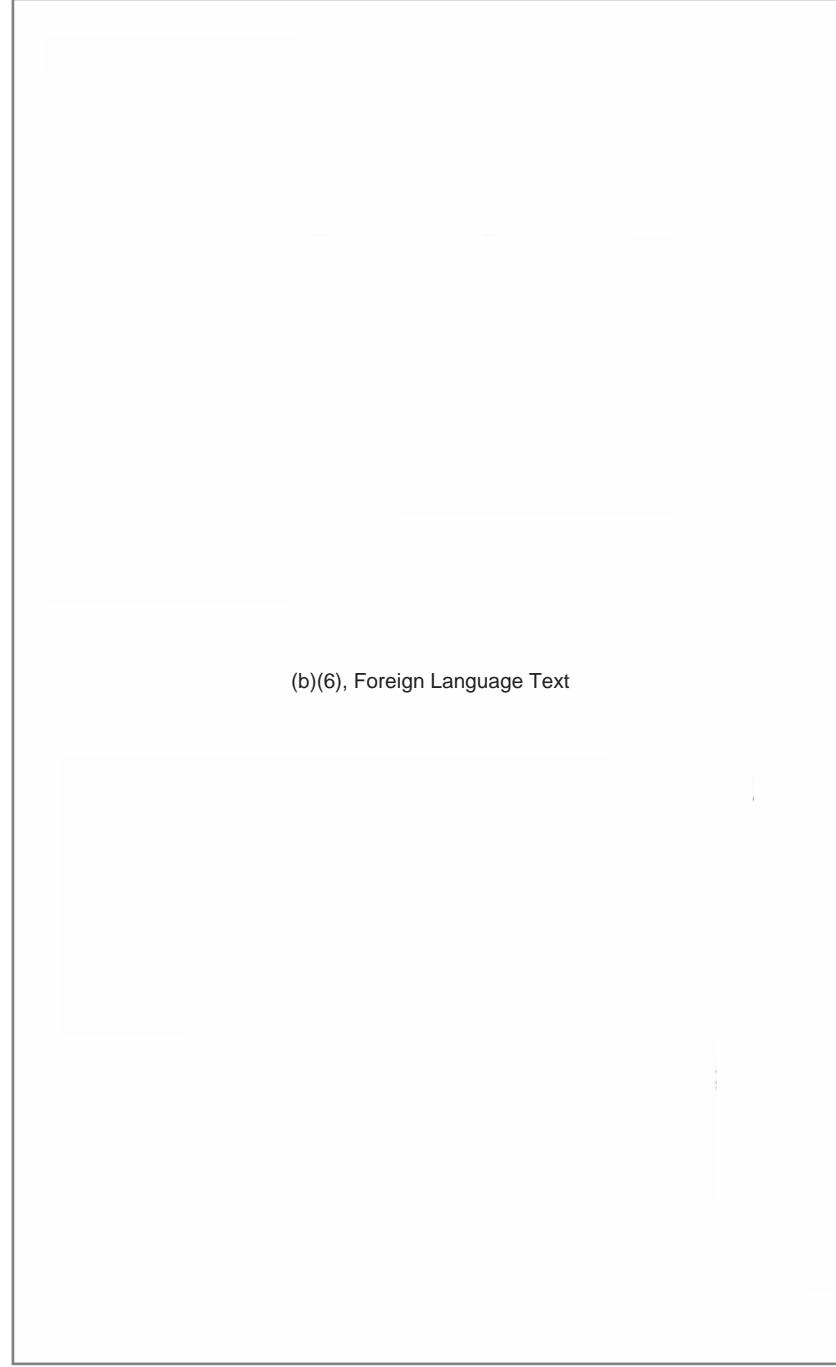


السلام عليكم ورحمة الله وبركاته



(b)(6), Foreign Language Text





(b)(6), Foreign Language Text

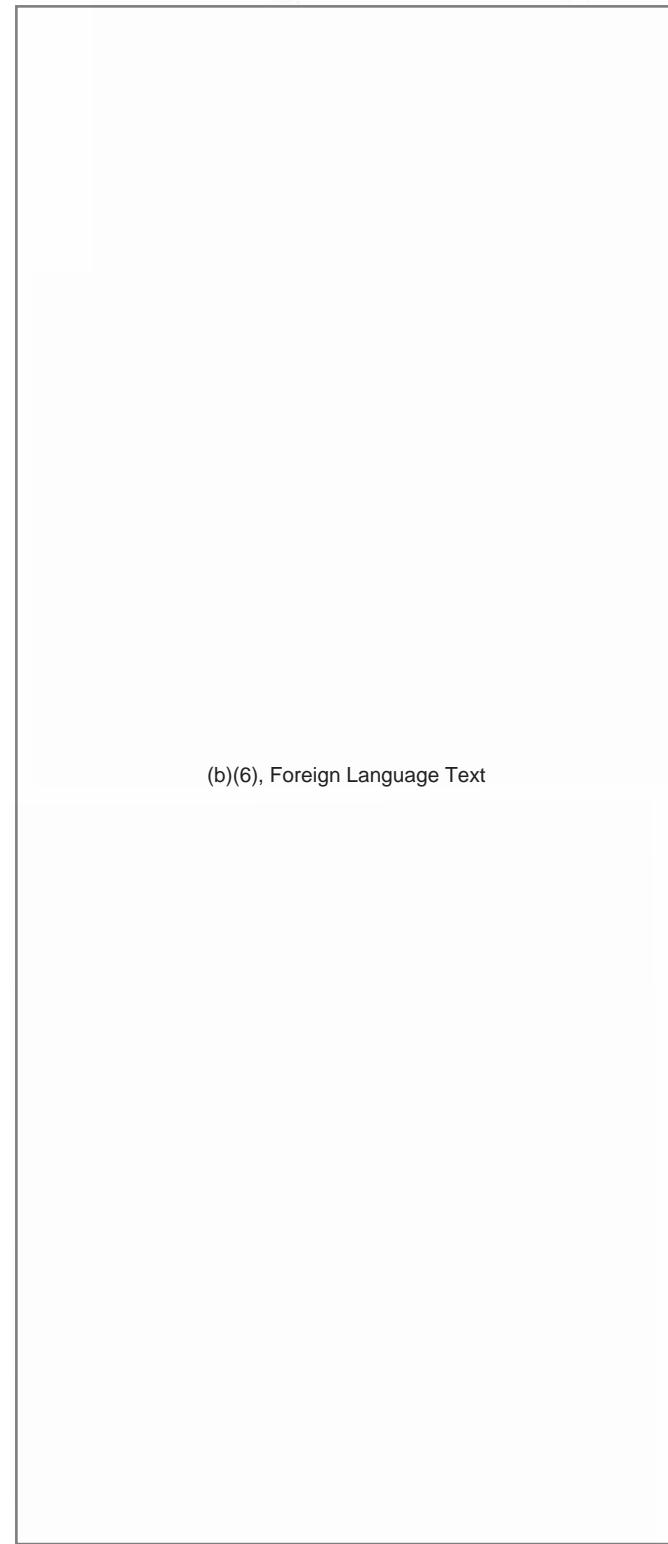
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28097

08-I92-T103-00023

(b)(6), Foreign Language Text

CENTCOM 020281
28098

08-I92-T103-00024



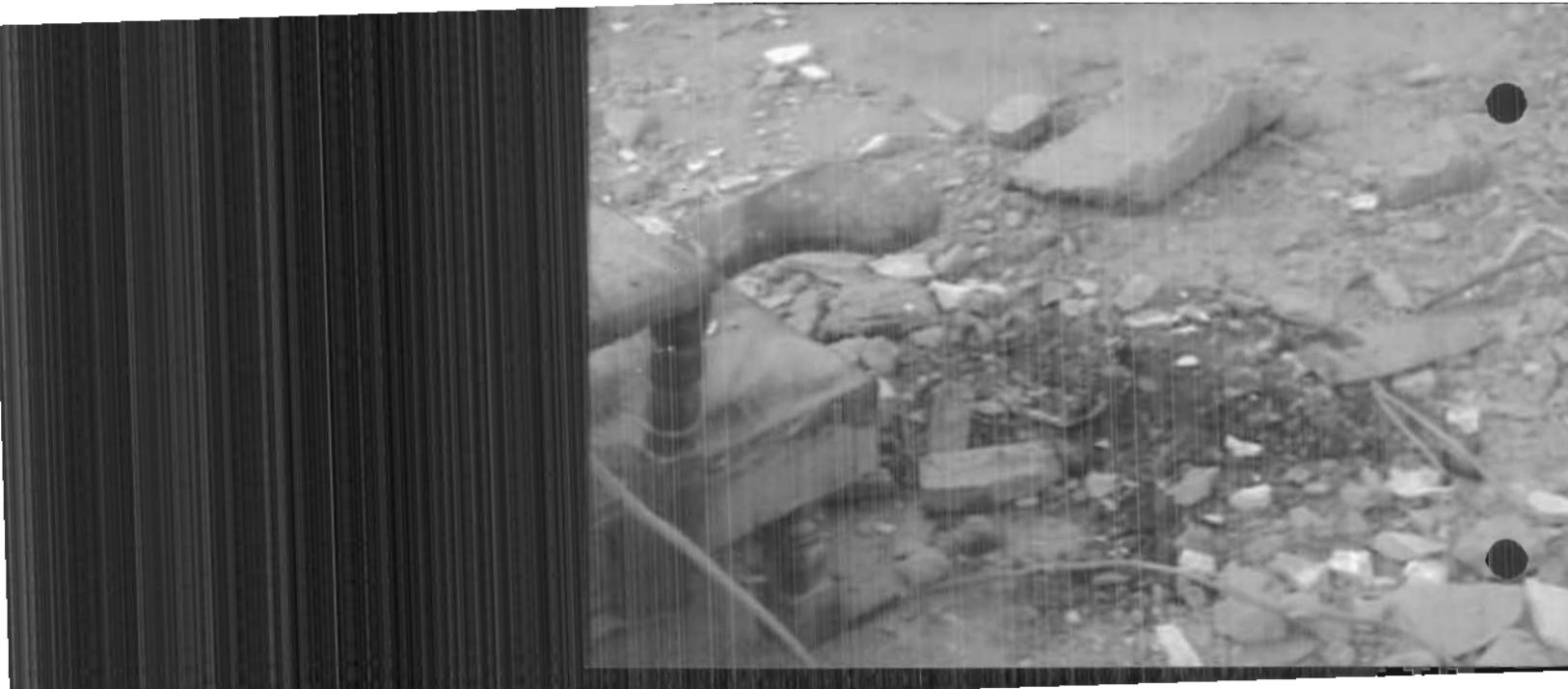


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28100



CENTCOM 020284
28101

08-I92-T103-00027



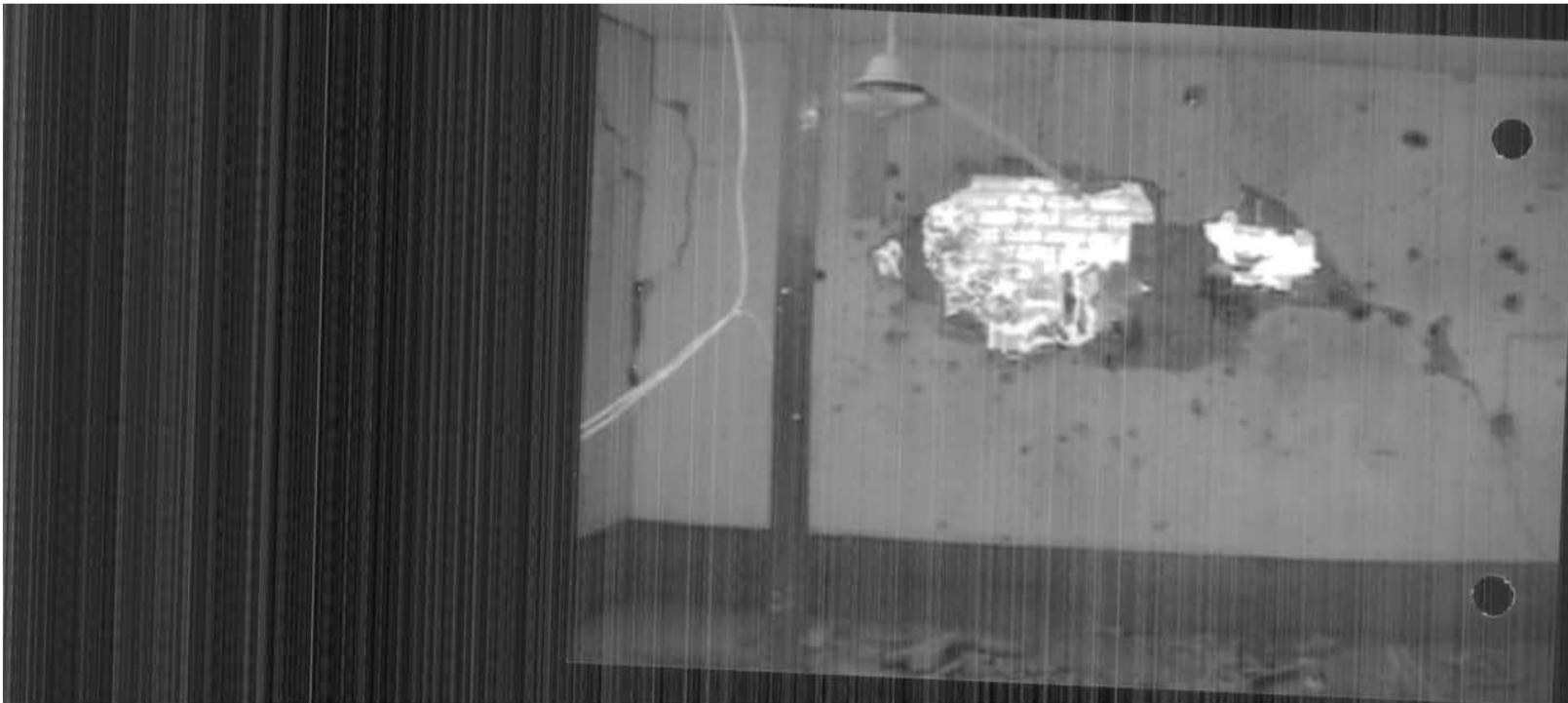
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28102

08-I92-T103-00028



CENTCOM 020286
28103

08-I92-T103-00029



CENTCOM 020287
28104

08-I92-T103-00030



CENTCOM 020288
28105

08-I92-T103-00031



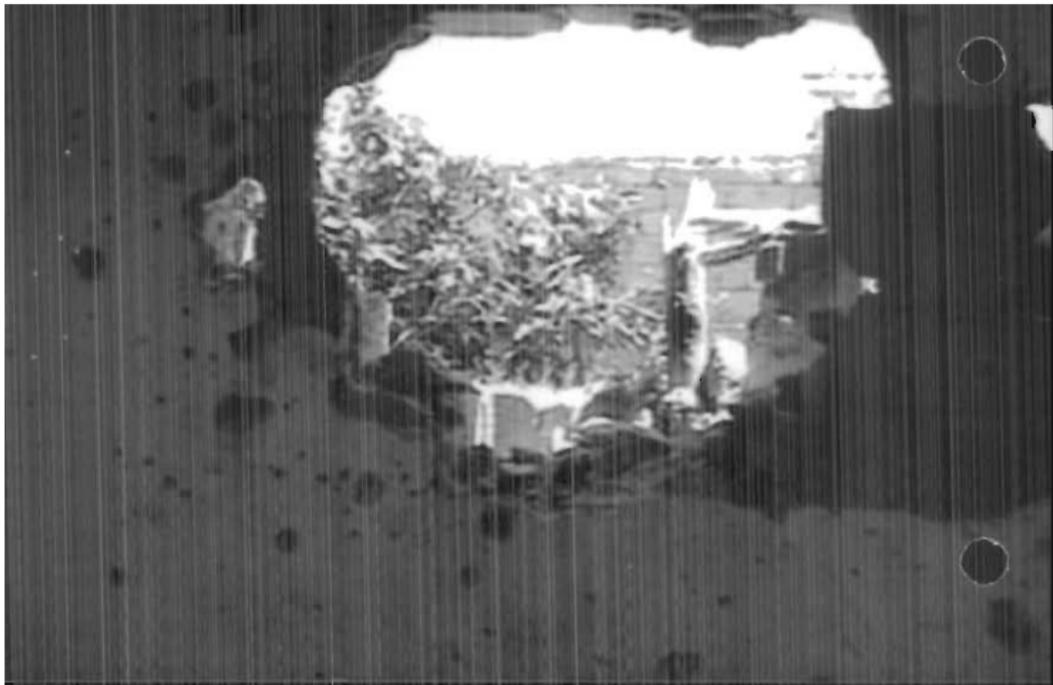
CENTCOM 020289
28106

08-I92-T103-00032



CENTCOM 020290
28107

08-I92-T103-00033



CENTCOM 020291 08-I92-T103-00034
28108



CENTCOM 020292
28109

08-I92-T103-00035



CENTCOM 020293
28110

08-I92-T103-00036