

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

AFZC-FC-JA

22 February 2006

MEMORANDUM FOR RECORD

SUBJECT: Claim of [REDACTED]: 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 Unites States. In addition, the incident must be caused by either non-combat activities of the Unites 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.

[REDACTED]  
CPT, JA  
Foreign Claims Commission

000135

Claims Form

To: United States Army Foreign Claims Commission.

From: Name: [Redacted] Sex: \_\_\_\_\_

Address: Begunah

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: Begunah (Town) \_\_\_\_\_ (City) \_\_\_\_\_ (Country)

My claim arose on: Nov 15 05 0900-1000  
Month Day Year Time

Give a brief statement explaining how the claim arose and the nature of the damages.  
Claimant's <sup>father</sup> parked by Begunah university and while  
waiting the special force group or (SFG) got at claimant's  
dad and killed him in the spot. They (SFG) shot claimant's  
dad and left the area. Claimant's dad was dropping  
claimant off to school when this happened. Pictures + Bullet  
submitted as evidence

\$15,000 + \$15,000 (vehicle + death)

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

\$ 10,000 local \_\_\_\_\_

[Redacted Signature]  
(Signature of Claimant)

Subscribed before me this 18 day of Feb, 2006.

(Print Name) [Redacted]  
(Signature) [Redacted]