

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

AFZC-FC-JA

3 April 2006

MEMORANDUM FOR RECORD

SUBJECT: Claim of [REDACTED] 06-3/4-527

1. Claimants name and address: [REDACTED] Muqdadiah, Iraq.
2. Incident date and place the incident occurred giving rise to the claim: Incident occurred on 22 Nov 05, in Muqdadiah, Iraq
3. Amount of claim and filing date: Claimant filed a claim in the amount of \$15,000, on 1 Apr 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 death of son.
5. Facts: US Forces HMMWV hit claimant's car from behind and pushed the car off the road. Son was killed in the accident.
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. Claimant needs to bring in pictures for this office to fully understand extent of damages.
7. Recommended Action: This claim is not payable under the FCA for the above mentioned reasons. Consequently this claim for \$15,000 is denied.

[REDACTED]
[REDACTED]
CPT, JA
Foreign Claims Commission

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Foreign Claims Intake Form

To: 3D HE [redacted], 4ID, Foreign Claims Office, FOB Warhorse, Iraq.

From: Name: [redacted] Sex: _____
Address: Mugdadiyah

I am a citizen and national of: I

Name of US or US Personnel involved in incident: UNK

Owner of property that was damaged: claimant's mother

My claim arose at: Mugd / /
Town City Country

My claim arose on: Nov 22 05 /
Month Day Year Time

Give a brief statement explaining how the claim arose and the nature of the damages. Be sure to include the what, where, when, who, and how of what happened. Write legibly.

US Forces HMMWV hit the car from behind and pushed this car off the road killing the son.

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

\$ 15,000 local [redacted]

Signature of Claimant: [redacted] Name of Attorney: [redacted]

Subscribed before me this 1st day of Apr, 2006.

Print Name: [redacted]
Signature: [redacted]

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