

Claims Form

To: United States Army Foreign Claims Commission,

From: Name:

POA/ATT:

Power of Attorney provided and interpreter approved:

Decedents:

Hometown: Tikrit

Iraqi Resident: [X]

My claim arose at:

(Town)

(City)

(Country)

My claim arose on:

Month

Day

Year

Proof of Ownership:

Interpreter Approved:

Death Certificates (Name, Cause of Death, Age, and Time of Death Consistent with Claimant allegations): Same name, 2 bullet wounds, 8 Aug 05

Interpreter Approved:

Legal Expert Opinion:

Interpreter Approved:

Witness Statement (Consistent?):

Interpreter Approved:

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.)

C's POA very angry. (Neither C/POA saw what happened) Decedent on highway waiting for taxi, 1500 meters from Al Qujal fuel station. US convoy drives by and shoots him in neck and head. He is killed. Cousin saw it from fuel station. Cousin gets family who retrieves body. Brothers took body to hosp & then cemetery.

Evidence: 1) I saw 2) ID from Decedent matched death certificate 3) Photos 4) Death cert

C had \$1500 on him to buy a car. Money soaked in his blood, no...

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Tikrit

*

This is true!

Decedent's body US forces doing 1st exam

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.)

<u>Item</u>	<u>Amount</u>
Wrongful Death	4000
Blocked US Dollars	\$ 1500
Total: 5500	


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

The name and address of my insurer (if any) is:

(Name) _____ (Address) _____


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

\$ 5,500 _____ local _____




(Signature of Claimant)

Subscribed before me this 30 day of Aug, 2005.



(Print Name)



(Signature)



DEPARTMENT OF THE ARMY
Headquarters, 1st Brigade Combat Team
Task Force Liberty, Forward Operating Base Speicher, Iraq
APO AE 09393

AFZP-JA

23 October 2005

MEMORANDUM OF OPINION

SUBJECT: Claim of [REDACTED] 05-IA3-1711

1. **Identifying Data:** [REDACTED], Owja, Iraq
2. **Date and place the incident occurred giving rise to the claim:** The claim occurred on 8 August 2005 in Owja, Iraq.
3. **Amount of claim and date it was filed:** Claimant filed a claim for \$5,500.00 on 28 August 2005.
4. **Jurisdiction:** This request is presented for consideration under the provisions of the Foreign Claims Act, 10 USC Section 2734, as implemented by Chapter 10, Army Regulation 27-20. This claim was filed in a timely manner.
5. **Facts:** Claimant alleges his brother was shot and killed by CF while he waited on the side of the road for a taxi near the Tikrit fuel station. The decedent's cousin was at the fuel station and witnessed this. The cousin picket up the decedent and drove him to Tacit hospital, where he died. During the car ride, the decedent bled on \$1,500 that the cousin had to purchase a vehicle. Claimant requests compensation for wrongful death and would like the money exchanged with fresh U.S. currency. Claimant offered pictures, a death certificate, witness statements, and court documents to substantiate the claim.
6. **Opinion:** The events described by the claimant constitute combat operations conducted by CF. Due to the combat exception to the FCA, the claim in not compensable.
7. **Recommendation:** The claim is denied.

[REDACTED]
[REDACTED]
CPT, JA
FCC

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DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST BRIGADE, 3RD INFANTRY DIVISION (FORWARD)
TASK FORCE BAND OF BROTHERS, OPERATION IRAQI FREEDOM
FORWARD OPERATING BASE SPEICHER
APO AE 09393

AFZP-VA-JA

21 November 2005

MEMORANDUM FOR RECORD

SUBJECT: Commander's Emergency Response Program payment to [REDACTED]
(Claim Number 05-IA3-1711)

1. On 8 August 2005, [REDACTED] s brother was shot and killed by a CF convoy while waiting on the road for a taxi.
2. I certify that funds are available from the CERP to pay [REDACTED] in the amount of \$2,500.00. This is a condolence payment.

[REDACTED]
CPT, EN
Project Purchasing Officer

3. The request to pay [REDACTED] in the amount of \$2,500.00 from CERP is approved. The claimant will receive a payment. There is no legal objection to this payment. I order payment of this money.

[REDACTED]
CPT, JA
Trial Counsel

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