



DEPARTMENT OF THE ARMY  
OFFICE OF THE COMMAND JUDGE ADVOCATE  
116<sup>th</sup> BRIGADE COMBAT TEAM, 42<sup>nd</sup> INFANTRY DIVISION  
KIRKUK, IRAQ, APO AE 09368

REPLY TO  
ATTENTION OF

24 April 2005

Foreign Claims Commission

[REDACTED] Y05-I9B-931  
Kirkuk, Iraq

Mr. [REDACTED]

I have considered your claim under the Foreign Claims Act, Title 10 United States Code Section 2734 as implemented by Army Regulation 27-20, Chapter 10.

Your claim is denied. The Foreign Claims Act does not authorize payment of claims related to combat activities, nor of claims where US negligence cannot be established. Your claim states that your house was completely destroyed and four (4) family members were killed when Coalition Forces were bombing at the beginning of the war. The U.S. cannot pay your claim because your damages were incident to combat and your filed a similar claim on 28 December 2003 which was also denied. I am sorry for your loss, and I wish you well in a Free Iraq.

Army Regulation 27-20 provides you the right to appeal this action. Deliver your appeal and any additional evidence to the Government Building FCC office within thirty (30) days of receipt of this notice.

Sincerely,

[REDACTED]

CPT, U.S. Army  
Foreign Claims Commissioner

000264

**CLAIM FOR DAMAGE .OR  
INJURY DEATH**

**INSTRUCTION:** Please read carefully the instruction on the reverse side and supply information requested on both sides of this form .Use additional sheets (s)

person to  
approve  
MBC

931

yahya

**SITE OF THE ACCIDENT**  
Al-rashad suburb ,Bulldag village

**2-Name of claimants & Address:**  
[REDACTED]  
Bulldog village

**3.Gender**  
Male

**4.DATE OF BIRTH**  
1956

**5.MARITAL STATUS**  
Married

**6.DATE & DAY OF ACCIDENT**  
10-4-2003

**7.TIME**  
14:00 hrs

**The claim**

According to the claimant statement with the police report ,his house was completely destroyed and 4 of his family members were killed , the reason that he didn't file a claim before, he didn't know that there is such an office in the government bldg ,the incident happened during an air raid in ~~Iraqi operation freedom~~ *operation Iraq freedom*.

**PROPERTY DAMAGE**

**INJURY**

Four persons were killed

**WITNESSES**

**NAME**

**ADDRESS**

Officer in charge  
Al-rashad ps

Amount of claim (IN Dollars)

12a PROPERTY

12b PERSONAL INJURY

12c WRONGFUL DEATH

12d

I CERTIFY THAT AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURY CAUSED BY THE ACCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM

000265

13a SIGNATURE OF CLAIMANT

13b. Phone number of signatory

14c. Date of claim  
4/5/2005