

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 from above MBC

AMER SITE OF THE ACCIDENT

2-Name of claimants & Address:

9/20

3.Gender

4.DATE OF BIRTH

5.MARITAL STATUS.

6.DATE & DAY OF ACCIDENT

7.TIME

Male

1970

Married

12th Nov. 04

2:00 PM

The claim

He claims that CF's shot his brother [redacted] at the gate of their house causing his death. He is asking for compensation.

PROPERTY DAMAGES

INJURY

WITNESSES

NAME

ADDRESS

Amount of claim (IN Dollars)

12A PROPERTY

12b PERSONAL INJURY

12c WRONGFUL DEATH

12A

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

000268

13a NAME OF CLAIMANT

13b. Phone number of signatory

14c. Date of claim

[redacted]

[redacted]

15th May 05

CIVIL PENALTY FOR PRESENTING FRAUDULENT CLAIM

CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS

OFFICE OF THE COALITION PROVISIONAL AUTHORITY
(OCPA) PROJECT WORKSHEET

TYPE OF OPCA PROJECT: Regional Level Quick Impact Fund

MILITARY UNIT COORDINATING PROJECT: HHC/116BCT/42ID, Judge Advocate

MILITARY UNIT CONTACT INFO FOR PROJECT

NAME: Captain [REDACTED]
PHONE: DNV 539-1421
NIPR EMAIL: [REDACTED]@us.army.mil

NAME THE PROJECT: Condolence Payment for the death of [REDACTED]
FY05-I9B-990

PROJECT LOCATION: Hawija, Iraq

PROJECT DESCRIPTION: Condolence Payment to [REDACTED]

DESCRIBE DIRECT BENEFIT TO IRAQI POPULATION: Condolence payments are cash payments to local nationals, or to their family members, who suffer death or injury or property damage caused by US forces in the performance of official duty. US forces make Condolence payments without reference to fault by either the local national or US forces, as an expression of sympathy and good will and in the best interest of the US Government.

COST (U.S. Dollars) AND JUSTIFICATION: \$500.00. [REDACTED] the claimant's brother, was killed when he was caught in a firefight between Coalition Forces and AIF.

[REDACTED] does not have a cognizable claim under the Foreign Claims Act (Chapter 10, AR 27-20) because his brother's death was incident to combat.

NAME AND POSITION OF IRAQI WHO WILL ASSUME RESPONSIBILITY FOR THE COMPLETED PROJECT (Responsible Iraqi): [REDACTED]

ESTIMATED DAYS REQUIRED TO COMPLETE PROJECT: 1

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

REPLY TO
ATTENTION OF

10 July 2005

Foreign Claims Commission

[REDACTED] FY05-I9B-990

Hawija, 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 brother was shot at the gate of his house by Coalition Forces, killing him. The U.S. cannot pay your claim because your brother's death was incident to combat. 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

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