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PRIVACY ACT STATEMENT

The information requested on this form is required under the provisions of 31 U.S.C. 82b and 82c, for the purpose of disbursing Federal money.

The information requested is to identify the particular creditor and the amounts to be paid. Failure to finish this information will hinder discharge of the payment obligation.

000716

DEPARTMENT OF THE ARMY

HEADQUARTERS, 2D BRIGADE 3D INFANTRY DIVISION BAGHDAD, IRAQ APO AE 09380

REPLY TO ATTENTION OF:

AFZP-VB-JA

Date: 30 September 2005

MEMORANDUM FOR RECORD

SUBJECT: FOREIGN CLAIM II8T0066-06 APPROVAL AS FOLLOWS:

Claim of:

Address: New Baghdad, Isaa Baghdad, Iraq

Date Filed: 11-Apr-05

Amount Claimed: \$39,000.00

Claimed Loss: C.F caused massive traffic accident with multiple fatalities and injuries.

Claimant's brother (Inc.) was killed when his vehicle was destroyed by C.F.

1. Your above-mentioned claim is approved, and will be paid as follows:

[X] Approved: The claimant, see the second will be paid \$23,000.00 in compensation for property damaged, lost, destroyed, captured, or abandoned in service.

- 2. In full settlement of the amount allowed by the Secretary of the Army, or an officer duly designated for such purposes under authority of 31 U.S.C. 3721 and AR 27-20, Chapter 10, upon the claim of the above named claimant, for property damaged, lost, destroyed, captured, or abandoned in service.
- 3. If you are dissatisfied by this action, AR 27-20 provides that you may request that the decision be reconsidered. Any such request must be forwarded to this office for FCC consideration. There is no prescribed format for such a request. However, it should describe the legal and/or factual basis for relief. Any request for reconsideration must be made, in writing, within 30 days of receipt of this letter. The FCC's action on reconsideration is final and conclusive by law.
- 4. POC for this memorandum is a second by, Camp Loyalty, @ VOIP 242-7063.





DEPARTMENT OF THE ARMY HEADQUARTERS, THIRD INFANTRY DIVISION (FWD) OFFICE OF THE STAFF JUDGE ADVOCATE APO AE 09352

REPLY TO ATTENTION OF:

AFZP-JAC

29 September 2005

MEMORANDUM FOR RECORD

SUBJECT: Action on Claim of

- 1. <u>Facts</u>. Claimant's 1997 Hino tanker truck and Ford pick-up truck were destroyed in a vehicle accident caused by U.S. forces on 12 March 2005. In addition, claimant's brother, a, was killed in the accident.
- 2. Opinion. In order to form a basis for a claim under the FCA, it must be shown that the incident occurred outside the United States, and that it was caused by noncombatant activities of the United States Armed Forces or by the negligent or wrongful acts of military members or civilian employees of the Armed Forces. Claimant has produced sufficient evidence to show that U.S. forces negligently caused his loss.
- 3. Authority. The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.
- 4. Action. The claim is approved in the amount of \$23,000. (\$4,000 for the loss of the Ford, \$9,000 for bloss of the Hino and \$10,000 for the death of claimant's brother.)

CW2, JA FCC IJ4



FCC IJ4

DEPARTMENT OF THE ARMY HEADQUARTERS AND HEAQUARTERS COMPANY 2D BRIGADE, 3D INFANTRY DIVISION FOB LOYALTY, APO AE 09380

REPLY TO ATTENTION OF:

AFZP-VB-JA

1 June 2005

SUBJECT: Claim of

1.	Claimant's	name	and	address:	
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ha, New Baghdad,

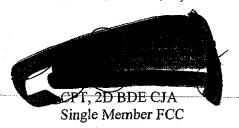
- 2. Date and place the incident occurred giving rise to the claim: Incident occurred on 12 March 2005, at Al-Wehda, Baghdad, Iraq.
- 3. Amount of claim and date it was filed: Claimant filed a claim in the amount of \$39,000.00 on 11 April 2005.
- 4. Claim considered under the Foreign Claims Act and Chapter 10, AR 27-20; claim filed for the death of the claimant's brother (and the destruction of his vehicle.

5. Facts:

- a. On 12 March 2005, a massive vehicular traffic accident occurred and resulted in multiple fatalities and injuries.
- b. Claimant's brother was involved in the vehicular accident, resulting in his death and the destruction of his vehicle.
 - c. The traffic accident was the direct result of negligence on behalf of the United States Army.

6. Opinion:

- a. In order to form a basis for a claim under the FCA, it must be shown that the incident occurred outside the United States, and that it was caused by non-combat activities of the United States Armed Forces or by the negligent or wrongful acts of military members or civilian employees of the Armed Forces. The claimant provided evidence that the United States Army was involved and caused in the traffic accident.
 - b. The claim is meritorious.
 - c. The evidence presented establishes negligence on behalf of the Coalition Forces.
- 7. Recommended Action: Approve and pay the claim in the amount of \$39,000.



Claims Form

To: United S	tates Army Foreign	Claims Com	nission.		
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Addre	ss: <u>New Baghdad</u>				
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