



DEPARTMENT OF THE ARMY
HEADQUARTERS, 2^D BRIGADE COMBAT TEAM
(10TH MOUNTAIN DIVISION (LIGHT INFANTRY))
3RD INFANTRY DIVISION
CAMP VICTORY, IRAQ
APO AE 09303



REPLY TO
ATTENTION OF

AFZS-LF-JA

Adjudication Date: 23 March 2005

MEMORANDUM FOR RECORD

SUBJECT: Claim of - [REDACTED]
Address - [REDACTED]
Date Originally Filed - 18 Jan 05
Date Appeal Received - 15 Mar 05
Amount Claimed - \$2,500 US
Claimed Loss - Shooting

1. Facts - Claimant alleges that on or about 3 January 2005, his son was fired upon and killed by Coalition Forces.

2. Your above mentioned claimed is denied based on the following reasons:

- () Disapproved based on the combat activities bar to compensation;
- () Disapproved based on improper claimant;
- (X) Disapproved based on lack of evidence showing negligence of US personnel;
- () Disapproved based on failure to show a loss;

(X) Adjudication Explanation: **We are sorry and very sympathetic to your loss, however your claim must be denied for the following reasons: You have previously made a claim and it was denied. The appeal for your claim must also be denied because you have failed to show the negligence of US personnel.**

3. This appeal has been submitted in accordance with Army Regulation 27-20. The FCC's action on this appeal is final and conclusive by law.

4. POC for this memorandum is [REDACTED] CDO BDE.

Claim# 05-IG5-1140 M

Monsour

[REDACTED]
CPT, JA
Command Judge Advocate

001020



DEPARTMENT OF THE ARMY
HEADQUARTERS, COMMANDO BRIGADE COMBAT TEAM
1ST CAVALRY DIVISION
CAMP VICTORY NORTH, IRAQ
APO AE 09303



AFZS-LF-JA

REPLY TO
ATTENTION OF

Adjudication Date: 8 February 2005

MEMORANDUM FOR RECORD

SUBJECT: Claim of [REDACTED] paiddy
Address - [REDACTED]
Date Filed - 18 Jan 05
Date Received - 5 Feb 05
Amount Claimed - \$2,500 US
Claimed Loss - Shooting

1. Facts - Claimant alleges that on or about 3 January 2005, his son was fired upon and killed by Coalition Forces.

2. Your above mentioned claimed is denied based on the following reasons:

- Disapproved based on the combat activities bar to compensation;
 Disapproved based on improper claimant;
 Disapproved based on lack of evidence showing negligence of US personnel;
 Disapproved based on failure to show a loss;
 Approved;

Adjudication Explanation: We are sorry and very sympathetic to your loss, however your claim must be denied for the following reasons: In your claim you failed to provide sufficient evidence that U.S. Forces and not someone else is responsible for your damages.

This claim is authorized under the Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.

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 each request. However, it should describe the legal and/or factual basis for relief. Claimants may also provide new and additional evidence to support their claim. 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 [REDACTED], CDO BDE.

Claim# 05-IG5-1140 M

Monsour

[REDACTED]
WO1, US Army
Legal Administrator

001021



DEPARTMENT OF THE ARMY
 HEADQUARTERS, COMMANDO BRIGADE COMBAT TEAM
 1ST CAVALRY DIVISION
 CAMP VICTORY NORTH, IRAQ
 APO AE 09303



AFZS-LF-JA

REPLY TO
ATTENTION OF

Adjudication Date: 8 February 2005

MEMORANDUM FOR RECORD

SUBJECT: Claim of - [REDACTED] idy
 Address - [REDACTED]
 Date Filed - 18 Jan 05
 Date Received - 5 Feb 05
 Amount Claimed - \$2,500 US
 Claimed Loss - Shooting

[REDACTED]

1. Facts - Claimant alleges that on or about 3 January 2005, his son was fired upon and killed by Coalition Forces.

2. Your above mentioned claimed is denied based on the following reasons:

- Disapproved based on the combat activities bar to compensation;
- Disapproved based on improper claimant;
- Disapproved based on lack of evidence showing negligence of US personnel;
- Disapproved based on failure to show a loss;
- Approved;

(X) Adjudication Explanation: We are sorry and very sympathetic to your loss, however your claim must be denied for the following reasons: In your claim you failed to provide sufficient evidence that U.S. Forces and not someone else is responsible for your damages.

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4. POC for this memorandum is CPT [REDACTED] CDO BDE.

Claim# 05-IG5-1140 M

Monsour

[REDACTED]
 WO1, US Army
 Legal Administrator

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Claims Form

To: United States Army Foreign Claims Commission.

From: Name: [Redacted]

Address: [Redacted]

I am

- a. A citizen and national of: Iraqi Nationality
- b. A permanent resident of: AL-Gha Zaliya
- c. Employed by: _____
- d. Check one () An insurer () Not an insurer
- e. Check one () A subrogee () Not a subrogee

I hereby make a claim against the United States Government for damages or injuries caused by: (Name, Organization, Military Department, Address, Telephone Number)

CF

The property damaged is owned by: (If the claim is made as an agent, parent, or guardian, attach a power of attorney or other evidence of authority and fill in the form below for party sustaining the damage or injuries.) Son of [Redacted]

My claim arose at: AL-Ghazaliya Baghdad Iraq
(Town) (City) (Country)

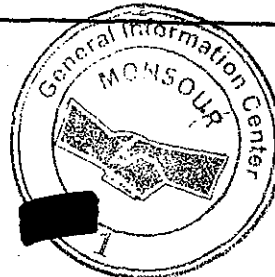
My claim arose on: Jan. 3 2005
Month Day Year

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.)

On 3rd Jan. 2005 at 9.00 A.M. I was sleeping in my house when I heard sound of shooting, my son Sardar was on the roof of the house, there was many American helicopters around the house and the area round our house with many humvees, my son was shot by them wrongly, I transmitted him to the hospital, he died. There, his shot was in the right side of his chest. I request to compensate me for my loss.

thank you

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As of: 1/6/2004



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Describe nature and extent of property damage or personal injury sustained as a result of the above incident.

Death of his son sardar by Coalition forces.

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.)

Item	Amount
Death of his son	2500 \$

Total: 2500 \$

Two thousand five hundred dollars

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)

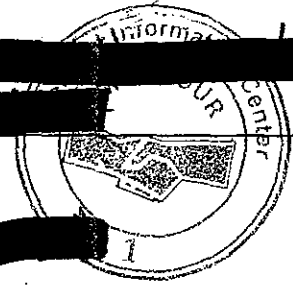
\$ 2500 \$ local

(Signature of Claimant) [Redacted]

Subscribed before me this 18th day of Jan., 2005.

(Print Name) [Redacted]

(Signature) [Redacted]



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