



**HEADQUARTERS
MULTI-NATIONAL CORPS – IRAQ
BAGHDAD, IRAQ
APO AE 09342**

REPLY TO
ATTENTION OF:

FICI-JA-C

2 August 2008

MEMORANDUM FOR RECORD

SUBJECT: Claim of (b)(6) 08-I08-T036

1. Facts: Claimant's two sons were driving in their grey Audi on 29 September 2007 when a US convoy struck the vehicle from the rear, turning the vehicle, and then struck again from the side of the vehicle. The claimant's two sons were killed instantly. The claimant's relatives were called to Al Karkh hospital, where the bodies were taken. There they were given a claims card left by 1-14 CAV and a note written by LT (b)(6), (b)(3) convoy commander, written on Rite in the Rain paper. Claimant requests \$15,000 for the death of each son, and \$5,250 for the total loss of the vehicle.

2. Opinion: This claim was initially almost denied due to suspicion of fraud. After showing the claim to 2/101 AA, CPT (b)(3), (b)(6) was told that they had received the same claims card in the past and that it had been determined to be false. However, after looking at the alleged claim card copy, it was determined that they were not in fact the same and the claims cards had been issued on different dates, although in the same location, Holland Apartments. 1-14 CAV was active in that area during the time of the incident claim re is no reason to believe that this claim is fraud specially given the note written by LT (b)(3), (b)(6) on Rite in the Rain paper. Attempts to reach LT (b)(3), (b)(6) were unsuccessful.

The claim is compensable under the FCA as damage from maneuvers not related to combat. The amount claimed for the vehicle is reasonable and the claimant depreciated the price of the car down from the original value when claiming \$5,250.

3. Authority: The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.
4. Action: The claim is granted in the amount of \$35,250.

(b)(3), (b)(6)

CPT, JA
Foreign Claims Commission I08

CENTCOM 003061

27741

SUBJECT: Claim of

(b)(6)

08-I08-T036

(b)(3), b(6)

CPT, JA
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(b)(3), b(6)

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