

FOREIGN CLAIMS COMMISSION DECISION MEMORANDUM

1. CASE No. #: 104 2. DATE REQUEST FILED: 28 March 2003
3. NAME AND ADDRESS OF CLAIMANT:
[REDACTED]; Kandahar, AFG
4. NAME AND ADDRESS OF REPRESENTATIVE:
NA
5. DATE AND PLACE OF INCIDENT:
4 Mar 03, Kandahar
6. AMOUNT REQUESTED: \$2000.00 7. EQUIVALENT IN U.S. CURRENCY: \$2000.00
8. FACTS: See investigation memo
9. LIABILITY: The request is cognizable and considered meritorious.
10. QUANTUM:

Amount requested: \$2000.00

Amount Approved: \$1500.00

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11. FUND CITE # AA 5733400 303 7826 A8847C 010000 67200 27596F 667100 ESP: 7C
12. ACTION: claimant paid \$1500.00
13. EQUIVALENT IN U.S. CURRENCY: \$1500.00
14. COMMISSIONER'S SIGNATURE/DATE:

[REDACTED SIGNATURE]

28 APR 03

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**CLAIM FOR DAMAGE,
INJURY, OR DEATH**

INSTRUCTIONS: Please read carefully the instructions on the reverse side and supply information requested on both sides of this form. Use additional sheet(s) if necessary. See reverse side for additional instructions.

FORM APPROVE
OMB NO.
1105-0008

1. Submit To Appropriate Federal Agency:

2. Name, Address of claimant and claimant's personal representative, if any. (See instructions on reverse.) (Number, street, city, State and Z. Code)

Ivo Kandahar

3. TYPE OF EMPLOYMENT
 MILITARY CIVILIAN

4. DATE OF BIRTH
4 June 1953

5. MARITAL STATUS
Married

6. DATE AND DAY OF ACCIDENT
4 March 2003

7. TIME (A.M. OR P.M.)
1200 local

8. Basis of Claim (State in detail the known facts and circumstances attending the damage, injury, or death, identifying persons and property involved, the place of occurrence and the cause thereof) (Use additional pages if necessary.)

[redacted] son of [redacted] was going to go to another kid house to play and while crossing the road was hit by a U.S. Humm-V and was killed

9. PROPERTY DAMAGE
NAME AND ADDRESS OF OWNER, IF OTHER THAN CLAIMANT (Number, street, city, State, and Zip Code)

BRIEFLY DESCRIBE THE PROPERTY, NATURE AND EXTEND OF DAMAGE AND THE LOCATION WHERE PROPERTY MAY BE INSPECTED. (See instructions on reverse side.)

10. PERSONAL INJURY/WRONGFUL DEATH
STATE NATURE AND EXTENT OF EACH INJURY OR CAUSE OF DEATH, WHICH FORMS THE BASIS OF THE CLAIM. IF OTHER THAN CLAIMANT, STATE NAME OF INJURED PERSON OR DECEDENT.

[redacted] was hit by a U.S. Humm-V and killed

11. WITNESSES	
NAME	ADDRESS (Number, street, city, State, and Zip Code)

2. (See instructions on reverse) AMOUNT OF CLAIM (in dollars)			
2a. PROPERTY DAMAGE	12b. PERSONAL INJURY	12c. WRONGFUL DEATH	12d. TOTAL (Failure to specify may cause forfeiture of your rights.)
		\$ 2,000	\$ 2,000

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

3a. SIGNATURE OF CLAIMANT (See instructions on reverse side.)
[redacted]

13b. Phone number of signatory

14. DATE OF CLAIM
28 March 2003

CIVIL PENALTY FOR PRESENTING FRAUDULENT CLAIM
The claimant shall forfeit and pay to the United States the sum of 2,000, plus double the amount of damages sustained by the United States. (See 31 U.S.C. 3729.)
previous editions not usable.

CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS
Fine of not more than \$10,000 or imprisonment for not more than 5 years or both. (See 18 U.S.C. 287, 1001.)

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DEPARTMENT OF DEFENSE
Task Force Devil (TF504th PIR)
KANDAHAR AIRFIELD, AFGHANISTAN APO AE 09355

REPLY TO
ATTENTION OF:

AFVC-KC-JA

20 April 2003

MEMORANDUM FOR RECORD

SUBJECT: Foreign Claims Investigation, [REDACTED]

1. Identifying Data

a. Claimant: [REDACTED]

b. Date, time and place of incident: 4 March 2003, 1200 Local, In the Vicinity of Kandahar City.

c. Amount of claim / date request filed: \$2,000, 28 March 2003.

d. Description of claim: Death of [REDACTED] (son of [REDACTED]).

2. Jurisdiction. This request is presented for consideration under the provisions of the Foreign Claims Act, 10 U.S.C. Section 2734, as implemented by Chapter 4, Air Force Instruction (AFI) 51-501. This claim was filed in a timely manner.

3. Facts. Summary of Findings:

On 4 March 2003, a maneuver assessment team consisting of Civil Affairs personnel conducted an assessment of the incident of the sustained injuries upon [REDACTED] [REDACTED] nomad who lives near Kandahar City is claiming that his son was running to go play with other local children when he was hit by a U.S. Humm-V. The injuries were so severe that both he and his son was medivac to Bagram Airfield for further treatment. His son's injuries were treated at Bagram Airfield for approximately three weeks until his death on 25 March 2003.

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SUBJECT: Foreign Claims Investigation, Mohammad, Jaan, IVO Kandahar

Location #1: Kandahar

Grid:

4. **Legal Analysis.** US Forces were conducting a convoy when [REDACTED] was unintentionally struck by a coalition vehicle. The resulting injuries required three weeks of treatment at Bagram Airfield. The injuries sustained resulted in the death of [REDACTED].
5. **Damages.** Claimant's son was hit by a U.S. Humm-V eventually resulting in death.
6. **Recommendation.** That the claim be approved in the amount of \$2,000.
7. POC for this memorandum is the undersigned at 303-581-3401 or via email at CTF82-S. (SIPR).

Encl

SF Form 95, dtd 28 Mar 03

[REDACTED]
SGT, USA

TEC 504th DIR, Bagram AFB

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