Claims Form	
To: United States Army Foreign Claims Commission. From: Name: POA/ATT: Power of Attorney provided and interpreter approved. Decedents:	SED POA from mother
Hometown:	
My claim arose at: (Town) (City) My claim arose on: Month Day Year Proof of Ownership: Interpreter Approved:	(Country)
Death Certificates (Name, Cause of Death, Age, and Time of Death Con allegations): Yes - Con Solv - Looks Legal Expert Opinion: Interpreter Approved:	sistent with Claimant rt - hy orr, ml
Witness Statement (Consistent?): 2x were rearly who he were limited as a brief statement of the accident or incident on which the claim for personal injury is based. (Use back of this sheet if necessary.)	
POA was at work, got feld his father was show !	a US Saldres
on a combot patrol - when he arrived at the	
were US Soldress all around - about 100 n f	rom the body
Allowed SM 50 take body away	
Evidence: Wit Statements, don't cert y court dres	
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List in detail the amou	nt of property damage a	nd itemized expenses resu	lting from the proper	ty
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Item Wrangfil dough		Amount EVOU 00		
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** *** *** *** *** *** *** *** *** ***	4			
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•		Total: Jugo, 00		
Y 1				
I was insured to the fol	lowing extent against th	e damage or injuries I have	sustained:	
				
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The name and address	of my insurer (if any) is:	:	· .	
(Name)	, (A	(ddress)	·	
I claim as damages: (In		ollars and local currency)		-
\$ 4000.00	loc	cal		
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				•
	(Signature of Cla	imant)	<u></u>	
	(Signature of Cla	man,		
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Subscribed before me t	this <u>28</u> day of <u>No</u>	<u>√</u> , 200 <u>5</u> .		
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	(Print Name)		•	
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	(Signature)	-		



14 Lanco 6-143-120

DEPARTMENT OF THE ARMY HEADQUARTERS, 101ST AIRBORNE DIVISION (AIR ASSAULT) TASK FORCE BAND OF BROTHERS FORWARD OPERATING BASE SPEICHER APO AE 09393

AFZB-JA-C

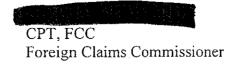
MEMORANDUM FOR Claimant

SUBJECT: Claim Denial

- 1. This is in response to your claim against the United States Government. Your claim has been reviewed under the Foreign Claims Act, 10 U.S.C. 2734, as implemented by Army Regulation 27-20, Chapter 10. I regret to inform you that your claim has been denied.
- 2. Your claim has been denied for the following reasons:
 - There is not enough evidence to prove your claim.
 - b. The evidence shows that United States Forces did not cause the damage.
 - The evidence shows that the damage was caused during combat.
 - d. The evidence shows that the damage was caused by your own negligence or wrongdoing.
 - e. The evidence shows that your claim was fraudulent.

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Î.	Other:	•		

- 3. If this is the first time your claim has been viewed by this office, you may submit an appeal. This office must receive the appeal no later than 30 days after receipt of this message. The appeal must also contain additional evidence proving your claim. If the appeal is sent after 30 days has passed, or does not provided additional evidence, then the appeal will be denied.
- 4. POC is the 101st Airborne Division (Air Assault) Claims Office at DSN 318-845-1022.





DEPARTMENT OF THE ARMY

OFFICE OF THE STAFF JUDGE ADVOCATE
HEADQUARTERS, 101ST AIRBORNE DIVISION (AIR ASSAULT)
OPERATION IRAQI FREEDOM, FOB SPEICHER
TIKRIT, IRAQAPO AE 09393

AFZB-JA-C

4 December 2005

MEMORANDUM OF OPINION

SUBJECT: Claim of

D6-IA3-121

1. Identifying Data:

POA:

- 2. Date and place the incident occurred giving rise to the claim: The claim occurred on April 1, 2005 in Samarra, Iraq.
- 3. Amount of claim and date it was filed: Claimant filed a claim for \$4,000 on 28 Nov. 2005.
- 4. Jurisdiction: This request is presented for consideration under the provisions of the Foreign Claims Act, 10 USC Section 2734, as implemented by Chapter 10, Army Regulation 27-20. This claim was filed in a timely and proper manner.
- 5. Facts: On April 11, 2005, POA was at work when he was told that his father had been shot and killed by CF on a combat patrol. When he arrived on the scene, there were US Soldiers all around, about 100 meters from the body. The soldiers allowed the son to take the body away. A SIGACTS investigation revealed that a VBIED attacked a US patrol, resulting in 22 civilian WIA and 3 civilian KIA.
- 6. **Opinion:** Under AR 27-20, paragraph 10-3, Claims arising "directly or indirectly" from combat activities of the U.S. Armed Forces are not payable. AR 27-20 defines combat activities as, "Activities resulting directly or indirectly from action by the enemy, or by the U.S. Armed Forces engaged in armed conflict, or in immediate preparation for impending armed conflict." Here, there is sufficient evidence to indicate that CF were engaged in combat activites.

7. Recommendation: The claim is denied.



CPT, JA Claims Judge Advocate

6-1A3-120 SDEC



DEPARTMENT OF THE ARMY HEADQUARTERS, 1ST BRIGADE, 3D INFANTRY DIVISION (FORWARD) TASK FORCE LIBERTY, OPERATION IRAQI FREEDOM FORWARD OPERATING BASE SPEICHER APO AE 09393

DHFT-JA

MEMORANDUM FOR Claimant

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f.	Other:	 	 _	

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- 4. POC is the Tikrit Claims Office at DNVT 584-1084.

