



DEPARTMENT OF THE ARMY
OFFICE OF THE COMMAND JUDGE ADVOCATE
116th BRIGADE COMBAT TEAM, 42nd INFANTRY DIVISION
KIRKUK, IRAQ, APO AE 09368

REPLY TO
ATTENTION OF

28 May 2005

Foreign Claims Commission

[REDACTED] FY05-I9B-981
Kirkuk, Iraq

20541003
[REDACTED]

Mr. [REDACTED]

I have considered your claim (enclosed) under the Foreign Claims Act, Title 10 United States Code Section 2734 as implemented by Army Regulation 27-20, Chapter 10.

Your claim is denied. The Foreign Claims Act does not authorize payment of claims related to combat activities, nor of claims where US negligence cannot be established. Your claim states that you were driving from Shourjah to Raheem and approached a turn where Coalition Forces had a cordon due to a vehicle exploding. You claim that your vehicle was shot by Coalition Forces. The U.S. cannot pay your claim because your damages are incident to combat and your ignored directions by Coalition Forces to stop. I am sorry for your damages, and I wish you well in a Free Iraq.

Army Regulation 27-20 provides you the right to appeal this action. Deliver your appeal and any additional evidence to the Civil-Military Information Center in the Government Building within thirty days of receipt of this notice.

Sincerely,

[REDACTED]

CPT, U.S. Army
Foreign Claims Commissioner

000237

**CLAIM FOR DAMAGE .OR
INJURY DEATH**

INSTRUCTION: Please read carefully the instruction on the reverse side and supply information requested on both sides of this form .Use additional sheets (s)

person to
approve
MBC

981

1. NAME: ARKIS SITE OF THE ACCIDENT

2-.Name of claimants & Address:

Kirkuk - Boolog.

3. Gender

Male

4. DATE OF BIRTH

1943

5. MARITAL STATUS.

Married

6. DATE & DAY OF ACCIDENT

12th May 05

7. TIME

10:00 AM

The claim

The claimant was going from showrijah to Raheem auna, on the way there is tern, when he turned, the CF's near the arch open fire to him as there was a pick up exploded near the tern. They caused many damages to his vehicle (Toyota-Corona 1980 Taxi). He is asking for compensation.

PROPERTY DAMAGES

INJURY

WITNESSES

NAME

ADDRESS

Memorandum from SPC. Stewart
ME 471260

\$ 824,00

Amount of claim (IN Dollars)

2A PROPERTY

203,500 ID

12b PERSONAL INJURY

12c WRONGFUL DEATH

12A

1203500 ID

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

000238

13a SIGNATURE OF CLAIMANT

13b. Phone number of signatory

14c. Date of claim

17th May 05