CLAIMS FORM US ARMY FOREIGN COMMISSION

CLAPS 2-027-5

2
CLAIMENT NAME ADDRESS
SEC./ST./H./
I AM a. A Citizen and National Of: B. A Pennament Resident Of: C. Employed By: d. Check one () an insurer () Not an insurer e. Check one () A subrogate () Not a subrogate
HAVE YOU FILED A CLAIM BEFORE (circle one) YES OR (NO)
TYPE OF CLAIM (circle which applied) INJURY: DEATH) PORPERTY DAMAGE: VEHICLE, BUILDING, FIELD, ANIMAL, OR OTHER NAME RELATIONSHIP 620667 AGE: 47 DOBD NO 1/7/1957
DATE INCIDENT OCCURRED: /D/ L /M 5 YYYY 2005 PLACE INCIDENT OCCURRED SEC./ST./H/ Digala Bridge SITUATION
He was sitting in a car and the car
that was infront of them exposed to firing by Coelition and a tray bullet hit him an
List in detail the amount of property damage and itemized expense resulting was killed damage or personal injury: (Attach bills and receipts, if applicable) Item Amount
He asks for compensation
TOTAL AMOUNT: US DOLLAR TO AMOUNT
TOTAL AMOUNT: US DULLAR 10 000000 porker. Today date 17 th May 2005 Ten million US Dollar.
Signature Signature
000298



DEPARTMENT OF THE ARMY HEADQUARTERS, THIRD INFANTRY DIVISION (FWD) OFFICE OF THE STAFF JUDGE ADVOCATE APO AE 09352

REPLY TO ATTENTION OF:

AFZP-JAC

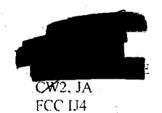
13 September 2005

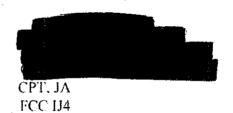
MEMORANDUM FOR RECORD

SUBJECT: Action on Claim of

,0893-05; Z.0272

- 1. Facts. Claimant's brother was killed by small arms fire.
- 2. Opinion. This claim is not meritorious under the Foreign Claims Act. There is no credible evidence that the death was caused by U.S. forces.
- 3. <u>Authority</u>. The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.
- 4. Action. Deny this claim.







DEPARTMENT OF THE ARMY HEADQUARTERS, THIRD INFANTRY DIVISION (FWD) OFFICE OF THE STAFF JUDGE ADVOCATE APO AE 09352

REPLY TO ATTENTION OF:

AFZP-JAC

13 September 2005

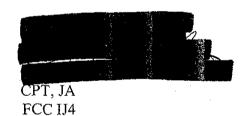
MEMORANDUM FOR RECORD

SUBJECT: Action on Claim of

, 0893-05

- 1. Facts. Claimant's brother was killed by small arms fire.
- 2. Opinion. This claim is not meritorious under the Foreign Claims Act. There is no credible evidence that the death was caused by U.S. forces.
- 3. <u>Authority</u>. The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.
- 4. Action. Deny this claim.





DEPARTMENT OF THE ARMY HEADQUARTERS AND HEAQUARTERS COMPANY 2D BRIGADE, 3D INFANTRY DIVISION FOB LOYALTY, APO AE 09380

REPLY TO ATTENTION OF:

AFZP-VB-JA

13 August 2005

MEMORANDUM OF OPINION

SUBJECT: Claim of (

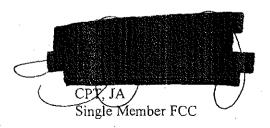
- 1. Claimant's name and address:
- d address: Baghdad, Iraq.
- 2. Date and place the incident occurred giving rise to the claim: Incident occurred on 26 October 2004, at Diyala Bridge, Baghdad, Iraq.
- 3. Amount of claim and date it was filed: Claimant filed a claim in the amount of \$10,000,000.00 on 3 June 2005.
- 4. Claim considered under the Foreign Claims Act and Chapter 10, AR 27-20; claimant filed for death of brother by small arms caused by combat involving Coalition Forces.

5. Facts:

- a. On 1 May 2005, the claimant's brother was driving near Diyala Bridge, Baghdad, Iraq in his vehicle.
- b. Coalition Forces engaged the vehicle in front of the claimant's brother with small arms.
- c. Claimant's brother died as a result of a stray round from the combat.

6. Opinion:

- a. In order to form a basis for a claim under the FCA, it must be shown that the incident occurred outside the United States, and that it was caused by non-combat activities of the United States Armed Forces or by the negligent or wrongful acts of military members or civilian employees of the Armed Forces. The claimant has provided evidence that the Coalition Forces were involved in the incident.
- b. The claimant has provided a claims card from the incident. By the use of bad grammar and Iraqi wording, it is believable that the claims card was falsely made to make the claim look meritorious.
- c. The claim is meritorious in that the claimant's brother died from wounds from small arms fire. However, the incident occurred as a result of combat operations involving the Coalition Forces.
- 7. Recommended Action: Disapprove the claim.



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