

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

REPLY TO ATTENTION OF:

FCC IV6

2 February 2006

CLAIM OF:

CLAIM NUMBER: 06-IV6-T0011

Dear Sir or Ma'am:

This notice constitutes final administrative action on your claim against the United States.

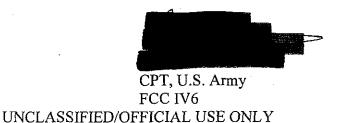
Foreign Claims Commission (FCC) IV6 has investigated and considered the claim under the Foreign Claims Act (FCA), Title 10, United States Code, Section 2734, as implemented by Army Regulation (AR) 27-20, Chapter 10. The claim is cognizable solely under the FCA as it concerns an inhabitant of Iraq. The Federal Tort Claims Act, Title 28, United States Code, Section 2680(k), is not applicable as it excludes claims arising in foreign countries. Under the FCA, a claim for death or personal injury may be allowed whether or not the negligent act complained of was made within the scope of employment.

FCC IV6 has reviewed all of the evidence given and has investigated this claim to the best of its ability considering the information presented.

Unfortunately your claim has been denied. The FCA does not permit the payment of claims arising from the actions of service members unless such actions were either negligent or wrongful. However, in your claim you have been unable to substantiate that the US forces acted either negligently or wrongfully and accordingly your claim is denied. This claim was determined to be a combat action.

If you are dissatisfied by this action, AR 27-20 provides that you may request that the decision be reconsidered. Any such request must be forwarded to this office for FCC consideration. There is no prescribed format for such a request. However, it should describe the legal and/or factual basis for relief. Any request for reconsideration must be made, in writing, within 30 days of receipt of this letter.

The FCC's action on reconsideration is final and conclusive by law.





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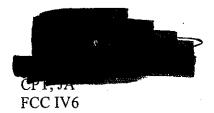
FICI-JA

Claim of

06-IV6-T0011

ACTION

- 1. <u>Facts</u>: The claimant alleges that on 10 September 2005, Coalition forces killed his son in an escalation of force and destroyed his vehicle. The amount requested in damages is \$27,000.
- 2. Opinion: The FCA permits compensation for damages caused by the negligent and wrongful acts of US forces. This claim was determined to be a combat action.
- 3. Authority: The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.
- 4. Action: The claim is therefore denied.



UNITED STATES ARMED FORCES CLAIMS FORM

1. TO: United States Army Foreign Claims Commission	Today's Date:
H. FROM: Name (English):	
Name (Arabic)	Salara a
(a) Circle one: Claimant / Attorney/ Authorized represent	ative/Parent/Brother/Sister/Son/Daughter
→ [Attorney or representative MUST attach proof of authori	ization. Other:
(b) IRAQI IDENTIFICATION NUMBER:	
(c) DETAINEE IDENTIFICATION NUMBER:	· ·
III. ADDRESS of person filing claim:	
(English):	
(Arabic):	
IV. HOME OR CELL PHONE NUMBER:	
(Arabic):	
making this claim) am a resident of	
,	
(b) I hereby make a claim against the UNITED STATES GO	VERNMENT for damages or injuries caused
by the following military unit:	
(c)The property damaged is owned by:	Son I
· · · · · · · · · · · · · · · · · · ·	^
(d) The incident happened on Sep. 10, 2005 at	
	own/neighborhood/highway name & number)
V. The facts of the incident are as follows: — Accordi	_
Bloom dead Son was	
and near Al Ramadi there	
	and killed his tomice
surn his car completely.	They took body
ind after that delivered. He was Electric Engine in family.	to the family.
He was Electric Engin	eer and supportun
112 femily.	
	-
	1

[Use back of sheet if needed. Be sure to include any photographs, statements from witnesses, documents proving ownership of damaged or destroyed property, death certificates, medical bills and repair estimates.]

UNITED STATES ARMED FORCES CLAIMS FORM

ITEM	PRICE
1 Death of his Son	
Death of his Son Burn his Car	
(a) I had incurance for the following:	TOTAL \$ 27,000
(a) I had insurance for the following:	
	· · · · · · · · · · · · · · · · · · ·
(b) My insurer is:	
and in Iraq	i Dinars is:
and in Iraq ***CLAIM WILL NOT BE VALID IF US DOLLAR AMOUTH. This is my total claim resulting from this incident. I understand that it	i Dinars is: UNT IS LEFT BLANK*** f I accept a settlement of this claim
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