



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

2 October 2005

Foreign Claims Commission

[REDACTED] FY05-I9B-1162
Hawija, Iraq

Mr. [REDACTED]

I have considered your claim 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 U.S. negligence cannot be established. Your claim states that you were driving with your brother and two sisters when Coalition Forces starting shooting at you, killing your two sisters. The U.S. cannot pay your claim due to the lack of evidence showing Coalition Forces were involved and the death certificates indicate your sisters died due to head fractures, not gun shot wounds. I am sorry for your loss, 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 Government Building FCC office within thirty (30) days of receipt of this notice.

Sincerely,

[REDACTED SIGNATURE]

CPT, U.S. Army
Foreign Claims Commissioner

000694

**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
From
approve
MBC

AMER

SITE OF THE ACCIDENT
HAWEJA AK KUDES VILLAGE KIRKUK

2.-Name of claimants & Address
[REDACTED]
[REDACTED] K

1/62

GENDER
Female

4.DATE OF BIRTH
1974

5.MARITAL STATUS.
Married

6.DATE & DAY OF ACCIDENT
28-07-2005

TIME:
7.30 PM

The claim

While he was returning from his farm with his two sisters and brother and driving on un paved road near the bridge of AL -Mathehorria ,suddenly their car was shot and totally damaged killing his two sisters and injuring him and his brother, later they knew they were shot by CF whom they were chasing the terrorist who were hiding among the farms located there

The name of the two females victim are

[REDACTED]
[REDACTED]

-injured males name is

[REDACTED]

Property damage

Car totally damaged

INJURY

Two females has been killed and two males were injured

WITNESSES

NAME

ADDRESS

[REDACTED]

Mayor of the town where the claimant livs

Amount of claim (IN Dollars)

12A PROPERTY

12b PERSONAL INJURY

12c WRONGFUL DEATH

12A

Two females

I 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

13a.SIGNATURE OF CLAIMANT

13b.Phone number of signatory

14c.Date of claim
9/15/2005

[REDACTED]

[REDACTED]

CIVIL PENALTY FOR PRESENTING FRAUDULENT CLAIM

CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS

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