

DEPARTMENT OF THE ARMY

OFFICE OF THE STAFF JUDGE ADVOCATE
HEADQUARTERS, 101ST AIRBORNE DIVISION (AIR ASSAULT)
OPERATION IRAQ! FREEDOM, COB SPEICHER
TIKRIT, IRAQ APO AE 09393

AFZB-JA-C

MEMORANDUM FOR Record

SUBJECT: Claimant 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:
 - a. There is not enough evidence to prove your claim.
 - b. The evidence shows that United States Forces did not cause the damage.
 - c. 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.

f. (Other:					
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- 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 supporting your claim. If the appeal is sent after 30 days have passed, or does not provide additional evidence, then the appeal will be denied.
- 4. POC is the 101st Airborne Division (Air Assault) Claims Office at DSN 318-845-1022.

CPT, JA Chief of Claims



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8 March 2006

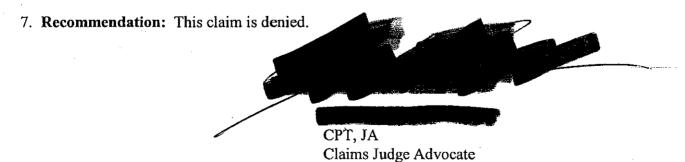
MEMORANDUM OF OPINION

SUBJECT: Claim of I

: 06-IR8-375

1. Identifying Data: (

- 2. Date and place the incident occurred giving rise to the claim: The claim occurred on 30 September 2005 in Samarra, Iraq.
- 3. Amount of claim and date it was filed: Claimant filed a claim for \$3,000 on 6 March 2006.
- 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 properly filed in a timely manner.
- 5. Facts: Claimant alleges that CF killed his wife, the same of the was driving with his wife and children. There is no record of this incident in the division records.
- 6. **Opinion:** "Under AR 27-20, paragraph 10-3, liability under the FCA may be based on acts or omissions of U.S. soldiers or civilian employees of a U.S. military department only if they are considered negligent or wrongful." There is no record of this incident. The claim cannot be verified.



TF Band of Brothers Claims Intake Form

From: Name:	
POA/ATT: A/A	
☐ Power of Attorney provided and interpreter approved:	
Decedents:	
Hometown:	
My claim arose at: Samarra - Algadisia area	
(Town) (City) (Country) My claim arose on: 「Sep 」	
Month Day Year	
Proof of Ownership:	
Death Certificates (Name, Cause of Death, Age, and Time of Death Consistent with Claimant	·
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Interpreter Approved: Doub Certificate information match for	ica Repen
Medical Report/Legal Expert Opinion: bullet in the cheft	
Interpreter Approved: information matchy	
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Witness Statement (Consistent?): we (father) Saw the modest (now	- tro 's sea
Interpreter Approved: information matches	
Give a brief statement of the accident or incident on which the claim for damages to property	or for
personal injury is based. (Use back of this sheet if necessary.)	
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befor the confer in samarra durken a C. C convoy	-shorts Killed
hev	<u> </u>
(he was driving white Diws, Next to the &	4 6 7
fruit shoop in Samarra).	
19:20 p.m Time of the accept	
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Evidence:	4 4 0
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	3000			local			
			(Signature o	of Claimant)			•
Subscr	ibed before	me this _	6_day of_	March	<u>, 2</u> 00 <u>6</u> .	,	`
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-	New 1		(Print Name				
			(Signature)				