

06-IAS-164a



CENTCOM 002428

CLAIM NUMBER: 05-IA5- 1642

DATE	REMARKS	INITIALS
31 2	See if we paid this already →	
	if not recommend approval	
	of \$6,000 - \$2 for death	
	2K for car	
		(b)(3),(b)(6)
5 DEC	was not found paid → Rec. report	
	at previously stated	
	Approve \$7,000	
	5k for uncle	
	2k for vehicle	

(b)(3)(b)(6) PFC (b)(3)(b)(6) (b)(3)(b)(6) - SSC (b)(3)(b)(6) (b)(3)(b)(6) - CPT (b)(3)(b)(6)

CENTCOM 002429

PAYMENT REPORT

TO: DFAS, DSSN: 8547 Date: _____

A. Payment Data:

- (1) Submitting Agency/Office: United States Army Claims Service
- (2) Office Code: **IA5**
- (3) Agency/Office Mailing Address: _____
- (4) Date Claim Filed: 03 December 2005
- (5) Claim Number(s): **06-IA5-164a**
- (6) Amount Claimed: **15.000**
- (7) Fund Cite: _____ (b)(2)High
- (8) Payee(s): _____ (b)(6)
- (9) Address: _____ (b)(6) , Iraq
- (10) SSN: **None.**
- (11) Payment Amount: **\$7,000**
- (12) Type Payment: PF _____
- (13) For EFT Payments: ABA Routing Number: _____
- (14) For EFT Payment: Account Name and Number: _____
- (15) For EFT Payment: Name and Address of financial institution: _____
- (16) For EFT Payment: Account is (checking) (savings) (Circle appropriate account).

B. ACCEPTANCE BY CLAIMANT (Note: This form should not be signed by the claimant if another release is signed by the claimant is attached.)

I, the claimant, do hereby accept the within -stated award, compromise, or settlement as final and conclusive on my heirs, executors, administrators or assigns, and agree that said acceptance constitutes a complete release by me, my heirs, executors, administrators or assigns of any and all claims, demands, rights, and causes of action of whatsoever kind and nature, arising now or in the future from, and by reason of any and all known and unknown, foreseen and unforeseen bodily and personal injuries (including wrongful death), damages to property, breaches of contract or law, and any other acts or omissions, and the consequences therefore resulting, and to result, from the same subject matter that gave rise to the claim for which I or my heirs, executors, administrators, or assigns, and each of them, now have or may hereafter acquire against the United States and against the employee(s) of the Government whose acts or omissions gave rise to the claim by reason of the same subject matter. I further agree to reimburse, indemnify and hold harmless the United States, its agents, servants and employees from any and all claims or causes of action, including wrongful deaths, that arise or may arise from the acts or omissions that gave rise to the claim(s) by reason of the same subject matter.

Date: 18 DEC 05 (b)(6) Claimant)

C. AGENCY CERTIFYING OFFICER:

Pursuant to authority vested in me, I certify that this Payment Report is correct and proper for payment.

(b)(3), (b)(6)

05 December 05 (Date) _____ (Signature Authorized Certifying Officer) FCC Title

Date Payment Recorded in Claim Record: _____

A separate payment report must be completed for each claimant

Privacy Act Statement

The information is required in accordance with 31 U.S.C. 1304. The data you furnish will be used to certify your claim for payment. Failure to provide this information may result in your claim not being processed for payment.

CENTCOM 002431



DEPARTMENT OF THE ARMY
Headquarters, 3rd Brigade Combat Team
3rd Infantry Division
FOB Warhorse, Iraq
APO AE 09397

REPLY TO
ATTENTION OF:

AFZP-VI-JA

6 December 2005

MEMORANDUM OF OPINION

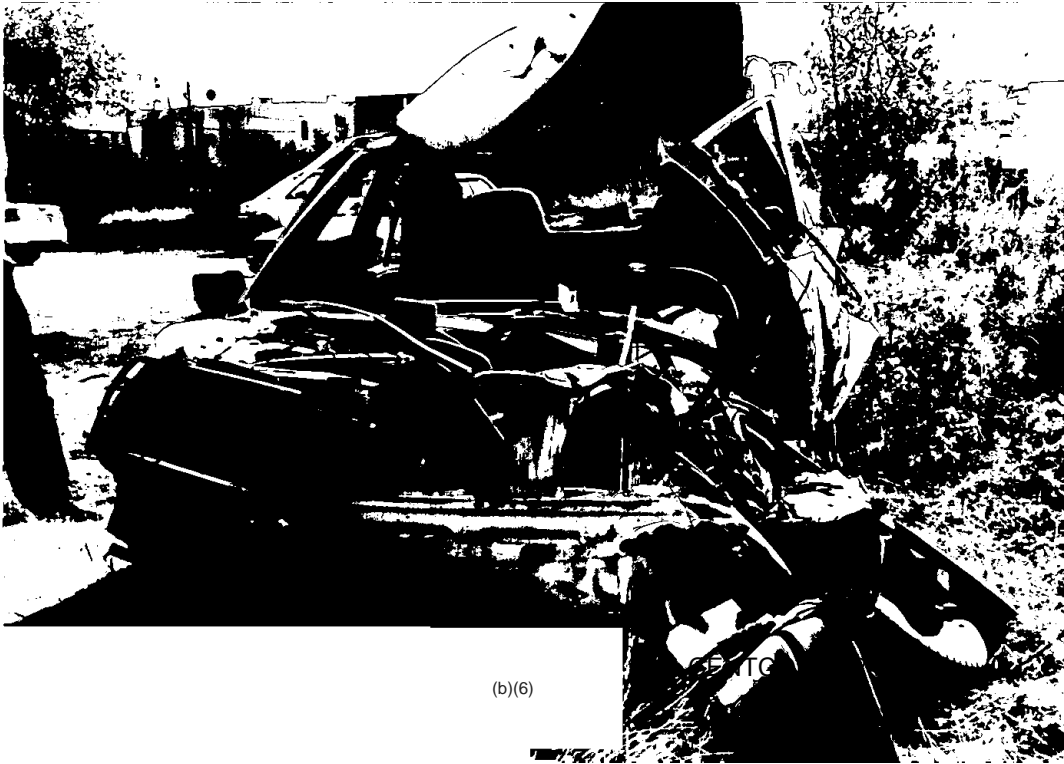
SUBJECT: Claim of (b)(6) 06-IA5-164a

1. Claimants name and address: (b)(6) Iraq
2. Incident date and place the incident occurred giving rise to the claim: Incident occurred on 07 July 2005 in Al Muqdadiyah, Iraq.
3. Amount of claim and filing date: Claimant filed a claim in the amount of \$15,000 on 03 December 2005.
4. Chapter the claim was considered under and a brief description of the incident or of the issues raised by the claimant on reconsideration: Foreign Claims Act and Chapter 10, AR 27-20; filed for compensation for vehicle damages and caused a KIA.
5. Facts: Claimant's vehicle was hit by U.S. Bradley and cause damages to the vehicle and killed the claimant's Uncle.
6. Opinion: In order to form a basis for a claim under the FCA, the incident in question must have arisen outside the United States. In addition, the incident must be caused by either non-combat activities of the United States Armed Forces or by negligent or wrongful acts of military members or civilian employees of the Armed Forces. Based on the facts and evidence, SIGACTS show that U.S. forces were involved in the incident and awarded \$2,000.00 for the damaged vehicle and \$5,000.00 for the death of the claimant's uncle.
7. Recommended Action: This claim is payable under the FCA for the above mentioned reasons. Consequently this claim is approved for \$7,000.

(b)(3),(b)(6)

CPT, JA
Claims Judge Advocate

CENTCOM 002432



(b)(6)

CONFIDENTIAL

24261



24262



OM 002435

24263



24264

Claims Form CF-1

1. To: United States Army
 From: Name: _____ (b)(6)
 Address: _____

- I am
- a. A citizen and national of: _____
 - b. A permanent resident of: _____
 - c. Employed by: _____

2. I hereby make a claim against the United States Government for damages or injuries caused by: (Unit Name or Individual)

3. The property damaged is owned by: _____

4. My claim arose at: Mugdodiyah
 (Town) (City) (Country)

5. My claim arose on: July 7 2005
 Month Day Year

6. 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.)

Man was hit in vehicle by Bradley - Uncle killed & vehicle damaged.

7. List in detail the amount of property damage and itemized expenses resulting from the property damage or personal injury: (Attach bills and receipts, if applicable.)

Item	Amount
<u>Death of Uncle</u>	<u>3 15000-</u>
<u>Damage to Vehicle</u>	<u>3</u>

Total: 15000-

8. I claim as damages: (Indicate amount in U.S. dollars and local currency)

\$ 15000- local _____

 (Signature of Claimant)

9. Subscribed before me this 3 day of Dec, 2005.

(b)(3), (b)(6)

Name: _____ Rank: _____

070533JUL05: Apache X-ray reports that their Apache 17 (1/A/1-30) patrol escorting soldiers to FOB Warhorse was in an accident with a civilian vehicle on (b)(2)High vic (b)(2)High Apache 17 is currently assessing damage. (b)(2)High: At 0537, Apache 17 reports 1x civilian injured (urgent, priority) and requests ambulance at the accident site. JCC dispatching IP and an ambulance. (b)(2)High: At 0553, Apache X-ray reports the casualty has died. (b)(2)High: At 0633, IP have taken the body to the Muqdadiyah hospital. IP have cleared the accident site. Iraqi civilian killed in the accident was identified as (b)(6)

070730JUL05: Trailblazer 26 reports that an IED detonated on their patrol on (b)(2)High (b)(2)High No casualties and minor damage to a HMMWV reported. Trailblazer 26 is securing the site. (b)(2)High: At 0800, 1/C/1-30 (Rock Red 4) route clearance patrol on site and assisting Trailblazer in securing the site.

071047JUL05: Abu Sayda Police Chief reports through JCC that the Abu Sayda police station (b)(2)High is surrounded by armed personnel and is in direct SAF contact. The Police Chief requests CF assistance. Dispatched Abu Sayda IA to confirm the reports. Dark Knight 31 pulled emergency CAS to assist with confirmation of reports using (b)(2)High (b)(2)High: 1115, Abu Sayda IA reports no SAF at the police station. There is a crowd of people outside the building however, the crowd is not attacking the station. Dark Knight 31 reports no SAF and no visible weapons in the crowd. The crowd of civilians seems to simply be protesting outside the station.

CENTCOM 002438

DEPARTMENT OF THE ARMY
Headquarters, 1-30 Infantry
3rd Brigade, 3rd ID
FOB Normandy, Iraq APO AE 09397

AFZX-VIB

01 DEC 05

MEMORANDUM FOR RECORD

SUBJECT: Justification for Battle Damage and Condolence Payments

1. The attached documents have been reviewed and are justified in receiving compensation for damages caused by Coalition Forces. On 7 July 2005, a civilian (b)(6) vehicle was run over by a M2 Bradley Fighting Vehicle. The combat patrol was en route to FOB Warhorse; the vehicle was stopped on the side of the road at a fuel Station line. Individual was seriously injured at the scene and then died shortly there after. The car was totaled.
2. The family requests compensation for the loss of the Father of (b)(6) children, who has only one wife. Also, request compensation for the loss of the car.
3. Request that this claim be re-adjudicated and compensation be authorized. The city council representative for this area is well known and respected and we feel that the city council member is being up front and honest about this situation.
4. Point of contact for this memorandum is the undersigned at DVNT (b)(2)High

(b)(3),(b)(6)

SGM, USA
CMO Sergeant Major

CENTCOM 002439

The mugdadain police station

number (b)(6)

Date / 7/7/2005

To/ mugdadain hospital

subject/ Bundy handling

in same above Date the judge investigation in mugdadain
decided ^{to hand} the body of the victim (b)(6)

(b)(6) to his family without anatomy
and organizing the death testimony, in view of
himself killed from collaboration forces.

The mugdadain police chief

(b)(6)

CENTCOM 002440

Illegible Text, Nonresponsive

CENTCOM 002441

Mugdadiyah police station

statement

we have pulled down the car has a license number

is (b)(6) /D/atalah, the kind is (PkaTel), white color

The victim (b)(6) had it, also we

had seen the car was like scrap metal.

CENTCOM 002442



Illegible Text, Nonresponsive

CENTCOM 002443

after we observed the incident locality

all

already, we want to the incident locality, we want to explain the whole things or appoints

1) The local of the accident was far than the my dadiah police station about 5 km definitely between Kanaken - Dyalah Road

2) The accident looked like the U.S truck hit the car and destroyed it, also was a license number of this car is (b)(6) belong the owner who's (b)(6)

3) I didn't see any thing else who's could use it in my testing littering ~~just~~ the seem like the accident happend up on the Service Road that is beside the high Road,

CENTCOM 002444

Magdaliah police station
7/7/2005

The body observing

We did the observing on the victim body his name
is (b)(6) and we seen the following

1) The victim birth day is (b)(6)

2) he was wearing (b)(6)

(b)(6)

3) we had seen on his body, a wound and fracture
in his left hand, also another wound on his
left shoulder with smash in his head.

4) we had seen a long wound about 30 cm in his belly
also there exist a wound on his ^{left} leg.

5) I had seen a fracture in his right leg.

6) generally, the body car had a deformation
from the accident from the collision force
clash

junk and to lead to death immediately.

CENTCOM 002446

Muqdadial police station

The statement of the victim's son which his name

←

(b)(6)

his birthday

(b)(6)

he has a

(b)(6)

and living in Hai alshohada' a Zi

at 6 morning in that day, my father was driving his car to go to hangout with full station in alhamedia and when he was driving was a military convoy from the coalition forces on the same Road, a one of the Tanks in that convoy hit my father's car when it was stoped on the ~~back~~ side of the Road wait for line full station. therefore that accident to lead my father to death and his car had destroyed. I request the coalition forces to compensation me for what happened for my father and his car.

The statement of the victim's wife

The plaintiff

(b)(6)

her birth day

(b)(6) living in

(b)(6)

her career

a

(b)(6)

her statement after did the swear and defined her in a
to Muddah Judge.

The accident day was 7/7/2005 at 5 o'clock
morning, my husband got out with his car, he was
driving it, the color of his car was white. The kind is
(B KAZEL) he went to full station in Alhamedya
for full a Kazelen from that station, after that
about 2 hours I informed my husband was on the
road goes to full station and in another side I
mean the opposite side, a convoy of tanks came
from (harkes) to the way of my husband car, therefore
one of those tanks hit my husband car and crash it
to lead my husband dead and damaged his car to
much, and my husband's parents have dead so long
time ago, also I have (b)(6) kids and I'm only one wife
now take care of them, finally I requested the collaboration
force to give me a compensation for what happened

CENTCOM 002450

To the Bathers in Comc

S \ Combein

Im (b)(6) my father (b)(6) to acciendent from
U.S army friend in plase azai on 7/7/2005 , at 6:00 on moring my father
was in azai street (b)(6) and sarpres U.S army car hate him in
his car and destry and uill my tather and he is die , we don't why U.S army
friend do that so please we want to tell as and to help us and .please give
combeien an dethak you for your help.

(b)(6)

My Name

Name assint

Name assint

(b)(6)

CENTCOM 002452

CENTCOM 002453



(b)(6)

Foreign Language, (b)(6)

The car had a crashing incident, was white color
and the license number is (b)(6), the incident was
in front of Alazy Region at (0540) in 7/7/2009

CENTCOM 002454



(b)(6)

Foreign Language, (b)(6)

CENTCOM 002455