

(b)(6)

GENCOM 010497
07-192-T018-00001

Part 26 May 07

(b)(6)

(b)(6)

07I92T018

(4)

(b)(6)

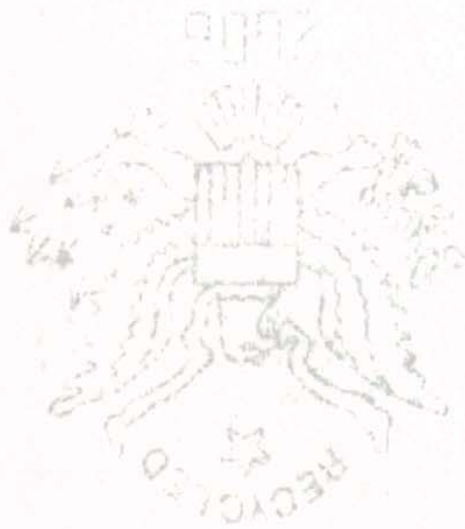
CLAIM FILE CHECKLIST

- SF 1034 (Signed by FCC, Pay Agent, Claimant If Paid)
- Action Memo Approving the Claim
- Claim Release and Settlement Agreement
- Decision Memo
- Claim Summary Sheet
- Supporting Documents (ID Card, Ownership, Statements, etc.)

23 07
[redacted] (b)(6)

CLAIM FILE CHECKLIST

- SF 1034 (Signed by FCC, Pay Agent, Claimant)
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CLAIMS CHECKLIST

CLAIM NUMBER: [REDACTED] AMOUNT OF CLAIM: \$ 11,000
 CLAIMANT'S NAME: [REDACTED] (b)(6)
 DATE OF INCIDENT: 15 Oct 06 DATE FILED: 5 Feb 07 DATE RECEIVED:

CLAIM TYPE:
 Vehicle Damage Detainee Property Damage During Raids
 SAF Damage/Injury Real Estate Other

CLAIM AROSE FROM:
 Combat Activities Non-combat Activities

CLAIM IS:
 Payable Not Payable

BRIEF OVERVIEW:
 Claimant states that his vehicle was struck while driving and his mother was killed.

REMARKS:
 Recommend Approval/Denial For lessor Amount

REVIEWED BY: SGT [REDACTED] (b)(3)(b)(6) DATE REVIEWED: 2 Mar 07

FCC COMMENTS
 Approve for \$10,000. Vehicle hit from rear showing negligence by CF. If claims office lost original file -> negligence of gov't.

DATE APPROVED/DENIED: 23 Mar 07

DENIED APPROVED
 Denial Memo Amount Approved: \$10,000
 Approval Memo
 Settlement Agreement
 SF 1034
 Disbursing Officer Memo

Standard Form 1034 Revised October 1987 Department of the Treasury 1 TFM 4-2080 1034-121		PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL			VOUCHER NO.
U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION DEPARTMENT OF THE ARMY 15th FINANCE BATTALION APO AE 09352		DATE VOUCHER PREPARED 25 May 2007	SCHEDULE NO.		
PAYEE'S NAME AND ADDRESS (b)(6) BAGHDAD, IRAQ		CONTRACT NUMBER AND DATE	PAID BY 15th FIN BN 3rd FIN, 3rd SSB APO AE 09352 DSSN 5579		
		REQUISITION NUMBER AND DATE	DATE INVOICE RECEIVED		
			DISCOUNT TERMS		
SHIPPED FROM		TO	WEIGHT	PAYEE'S ACCOUNT NUMBER	
GOVERNMENT B/L NUMBER					
NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES <i>(If not description, item number of contract or Federal supply schedule, and other information deemed necessary)</i>	QUAN- TITY	UNIT PRICE COST PER	AMOUNT (1)
		FOREIGN CLAIMS NUMBER 07-192-T018 Vehicle Damage/Death of Family Member			10,000.00
(Use continuation sheet(s) if necessary) (Payee must NOT use the space below) TOTAL					10,000.00
PAYMENT:		APPROVED FOR	EXCHANGE RATE	DIFFERENCES	
<input type="checkbox"/> PROVISIONAL		= \$ 10,000.00	= \$1.00		
<input checked="" type="checkbox"/> COMPLETE	BY:	(b)(3)(b)(6)		Amount verified correct for	
<input type="checkbox"/> PARTIAL	TITLE	FOREIGN CLAIMS COMMISSION		10,000.00	
<input type="checkbox"/> FINAL	Pursuant to authority vested in me, I certify		payment.		
<input type="checkbox"/> PROGRESS	(b)(3)(b)(6)		(b)(3)(b)(6)		
<input type="checkbox"/> ADVANCE	(b)(3)(b)(6)		(b)(3)(b)(6)		
ACCOUNTING CLASSIFICATION		CLAIMS PAYING AGENT			
ACCOUNT CLASSIFICATION NUMBER		(b)(2) High			
PAID BY	CHECK NUMBER	ON ACCOUNT OF U.S. TREASURY	CHECK NUMBER	ON (Name of bank)	
	CASH	DATE	(b)(6)		
\$ 10,000.00	26 MAY 2007				
<small>1. When stated in foreign currency, insert name of currency. 2. If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the space provided, over his official title. When a voucher is receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary," or "Treasurer," as the case may be.</small>					PER
					TITLE
<small>Previous edition obsolete. PRIVACY ACT STATEMENT: The information requested on this form is required under the provisions of 31 U.S.C. 62b and 62c, for the purpose of disbursing Federal money. The information requested is to identify the particular creditor and the amounts to be paid. Failure to furnish this information will hinder discharge of the payment obligation.</small>					
NSN 7540-00-000-2234					USAPA V4.00

CENTCOM 010502
07-192-T018-00006



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH INFANTRY BRIGADE COMBAT TEAM
BRIGADE OPERATIONAL LAW TEAM
MULTI-NATIONAL DIVISION—BAGHDAD
FOB FALCON, BAGHDAD, IRAQ
APO AE 09361

AFZN-BC-JA

Claim of (b)(6) 07-192-T018

ACTION

1. Facts: Claimant states that on 15 October 2006, a US Forces vehicle hit his vehicle and killed his mother.
2. Opinion: The FCA permits compensation for damages caused by negligent or wrongful acts of U.S. Forces. The incident must have occurred outside the United States and not be the result of combat activities. Based on my review of this claim, I approve the claim and offer payment.
3. Authority: The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.
4. Action: Pay this claim in the amount of \$10,000.00.

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

CPT, JA
FCC 192

CENTCOM 010303
07-192-T018-00007



DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH INFANTRY BRIGADE COMBAT TEAM
MULTI-NATIONAL DIVISION—BAGHDAD
FOREIGN CLAIMS COMMISSION
FOB FALCON, IRAQ
APO AE 09361

FOREIGN CLAIM RELEASE AND SETTLEMENT AGREEMENT

I, (b)(6) of **Baghdad, Iraq**, hereby agree to accept the sum of **\$10,000.00** (U.S. Dollars) as payment in full satisfaction and final settlement of any and all claims against the United States of America. This includes its commissioned and noncommissioned officers, warrant officers, agents, and employees which have been asserted or which may be asserted arising from the incident that occurred on 15 October 2006, in Baghdad, Iraq, involving U.S. Forces. This claim arose as a result of **Vehicle Damage and Death of Family Member** caused by coalition forces.

In consideration thereof, I hereby release and forever discharge the United States of America, including its officers, agents, and employees from all liability, claims and demands of whatsoever nature arising from said incident. This release and settlement specifically includes all current or potential claims, including attorney fees, if any, arising from or related to property damage, injury, and/or death resulting from this incident.

It is understood that the amount tendered is accepted as full satisfaction and final settlement and that the award is made pursuant to the Foreign Claims Act, Title 10, U.S.C. § 2734, and is not to be construed as an admission of liability on the part of, but as a release of, the United States of America, its officers, agents, and employees.

Dated this 26th day of May 2007, at Baghdad, Iraq.

(b)(6)

Claimant Signature

Name: (b)(6)

Address: Section:

Street:

House:

(b)(6)

Baghdad, Iraq

(b)(6)

(b)(6)

Witness Signature

Page 9 redacted for the following reason:

Already Reviewed and Redacted for Release



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, 4TH INFANTRY BRIGADE COMBAT TEAM
BRIGADE OPERATIONAL LAW TEAM
MULTI-NATIONAL DIVISION—BAGHDAD
FOB FALCON, BAGHDAD, IRAQ
APO AE 09361

FCC I92

24 May 2007

CLAIM OF: (b)(6)
CLAIM NUMBER: 07-192-T018

Dear Sir:

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

Foreign Claims Commission (FCC) I92 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 I92 offers you \$10,000.00 to settle your claim.

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 signing this letter.

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

Sincerely,

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

CPT, U.S. Army
FCC I92

GENCOM 010508
07-192-T018-00010

I. To: United States Army Foreign Claims Commission.

Today's Date: 5/February

II. From: Name (English) (b)(6)
Name (Arabic):

(a) IRAQI IDENTIFICATION NUMBER: (b)(6)

(b) DETAINEE IDENTIFICATION NUMBER:

III. Address of person filing claim:

(English) (b)(6) Baghdad

(Arabic): (b)(6), Foreign Language Text

IV. HOME OR CELL PHONE NUMBER: (b)(6)

V. CIRCLE ONE: Claimant Attorney/ Authorized Rep/ Parent/ Brother/ Sister/ Son/
Daughter

[Attorney or representative MUST attach proof of authorization]

Other:

(a) I, the above named claimant/attorney/representative, certify that I (or the person on whose behalf I

am making this claim) am a resident of Iraq

(b) I hereby make a claim against the UNITED STATES GOVERNMENT for damages or injuries caused by the following military unit: (Name, Organization, Military Department, Address, and Telephone Number) No claim card

(c) The property damaged is owned by (If the claim is made as an agent, parent, or guardian, attach a power of attorney or other evidence of authority and fill in the form below for party sustaining the damage or injuries):

(d) My claim arose at: City Baghdad in Abu Dasher area
(city/ town/ neighborhood/ highway name & number/ Country)

(e) My claim arose on: oct 11/06

Month Day Year

VI. The facts of the incident are as follows (Give a brief statement of the accident or incident on which the claim for damages to property or for personal injury is based.)

On oct 11/06 at 09:30 while the claimant was going to one of his relative for confidence. when he reached near the garage at Abu Dasher area the american military vehicles at fourth car came across and the last vehicle crashed. The claimant car and caused damages as well as killed his mother too.

(city/ town/ neighborhood/ highway name & number/ Country)

CENTCOM 010507
07-192-T018-00011

In the Name of God

Abu Dsher Police Office

No.:

Date:

To\ American Forces in Abu Dsher

Sub\ Complaint

The complaint [redacted] (b)(6) resides in Baghdad that his car no. [redacted] (b)(6) model [redacted] (b)(6) [redacted] (b)(6) was crashed with an American Hammer car No. 34 at 8:00 in 15/10/2006 near the garage. He was going to one of his relatives for condolence. The accident caused his mother to die and his car to be damaged. Therefore, he asks for compensation on the damage.

The summary of this accident is that on the said date the above person was going to Abu Dsher with his mother and he came across American Military vehicles of four cars. His car crashed with the fourth Military Vehicle, an American private came up hurriedly and apologized for that. He is now claiming for compensating him for the damage.

Encloses:
Investigation papers
Photographs of the car
Death certificate of his mother

THE STORY OF THE ACCIDENT

*The commander of
Abu Dsher Police station*

His current address is:

[redacted] (b)(6) - Baghdad
The boss he is working with is [redacted] (b)(6) KBRCamp
Home- phone: [redacted] (b)(6)

To: Whom it may concern,

From: Jackie Emil Polaner
KBR/ O&M HVAC Forman
0790-881-4696

Sir,

I can not recall the dates. I can how ever give you a sequence of events.

(b)(6) came to me with the help of an interpreter and explained that his auto had been hit by an American military vehicle. What do I do. We went to the embassy TOC, and asked where (b)(6) needed to file a report. The TOC directed us to camp victory or if he could wait for two weeks there was an office opening up in the convention center in the IZ. After three weeks (b)(6) and I went to the convention center. We were directed to the right side of the building to a desk operated by an Iraqi person who spoke to (b)(6) gave him all of his pictures and a report was made. Some time after this we were installing the exhaust system at ocean cliff (b)(6) took me to one of the offices in the complex. I explained the advents of above to the lady for (b)(6) She asked us to return later. Upon our return she explained to us that she was unable to locate any report and (b)(6) would have to start over.

(b)(6)

(b)(6)

The note from boss - please read it carefully

Pages 15 through 16 redacted for the following reasons:

Foreign Language Text
Foreign Language Text, (b)(6)

Foreign Language Text

(b)(6), Foreign Language Text

Foreign Foreign Text, (b)(6)

*The claimant is seeking
compensation for his
vehicle damage and for
his mother's death*

(b)(6)

Foreign Language Text, (b)(6)

CENTCOM 010514
07-192-T018-00018

not name

(b)(6)

in Language

Foreign Language Text

Foreign Language Text, (b)(6)

Foreign Language Te

Certificate Dated his Mother

the cause of death
= American Govt

n Language

Language

number of variant ID

Foreign Language Text, (b)(6)

CENTCOM 018846
07-192-T018-00020

Foreign Language Text, (b)(6)

SECRET 010017
07-192-T018-00021

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Foreign Language Text, (b)(6)

Foreign Language Text

Foreign Language Text, (b)(6)

*The story of the
accident one English play see
the book Appendix in English*

Foreign Language T

Foreign Language Text

Foreign Language Text, (b)(6)

Foreign Language Text



CENTCOM 010520
07-192-T018-00024

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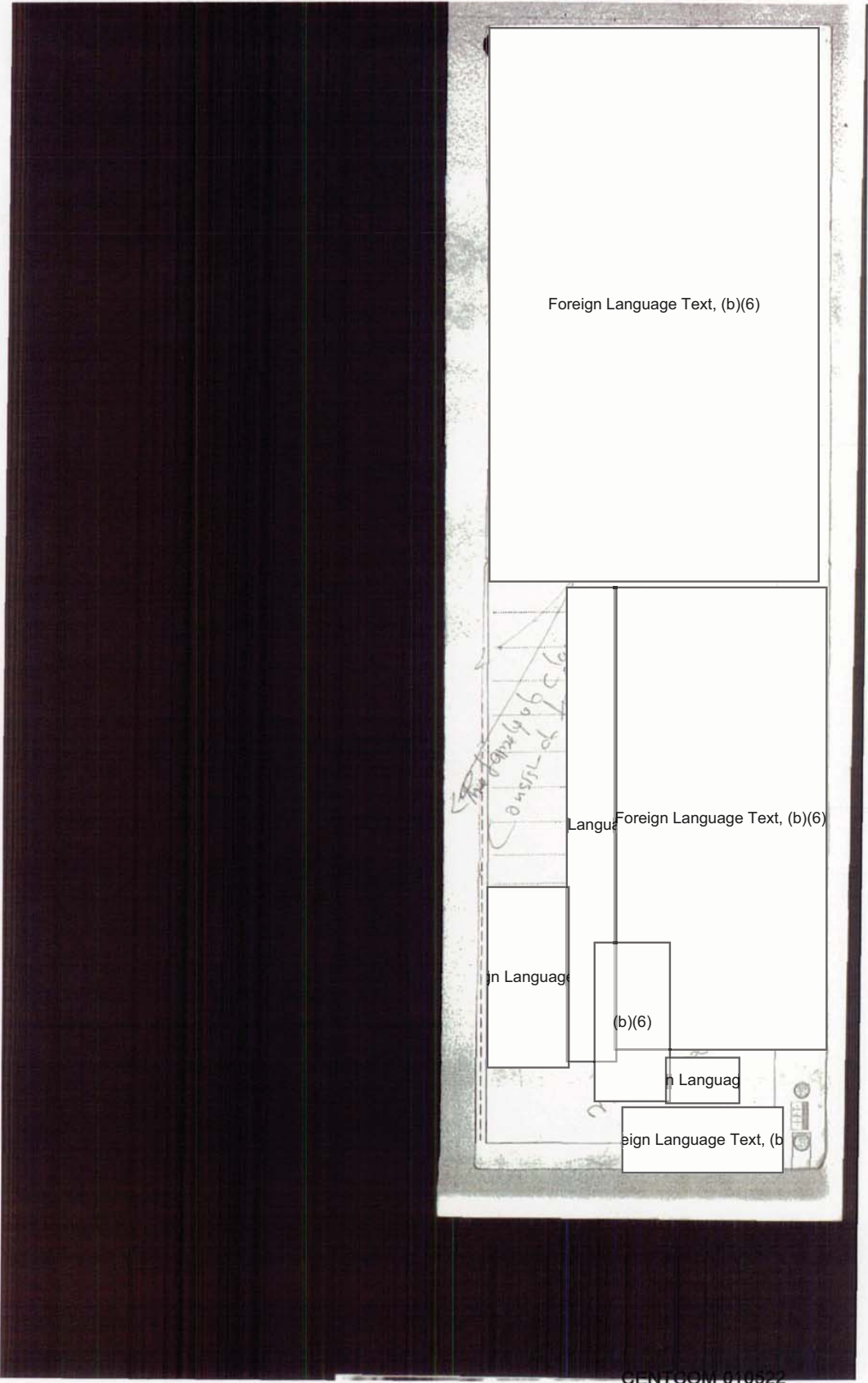
(3), b

(b)(3), b(6)

(3), b

(b)(3), b(6)

(3), b



Foreign Language Text, (b)(6)

Handwritten: The copy of 04551-01 C.6

Foreign Language Text, (b)(6)

in Language

(b)(6)

in Language

Foreign Language Text, (b)(6)



CENTCOM 010523
07-192-T018-00027

Page 28 redacted for the following reason:

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07-192-T018-00029
CENTCOM 010325



CENTCOM-010626
07-192-T018-00030

Page 31 redacted for the following reason:

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