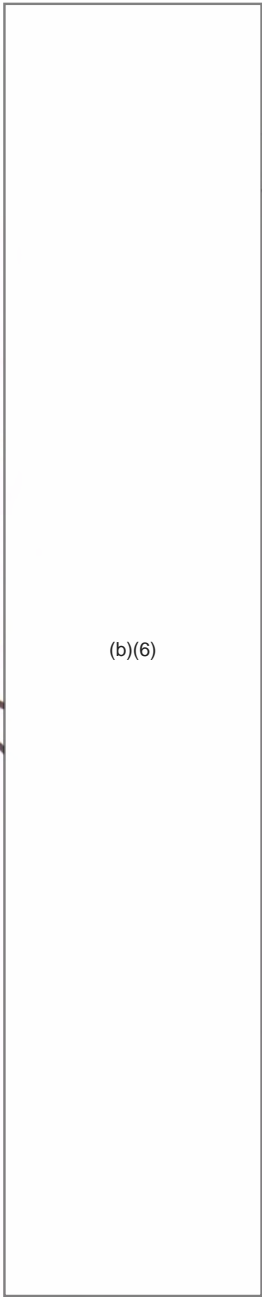


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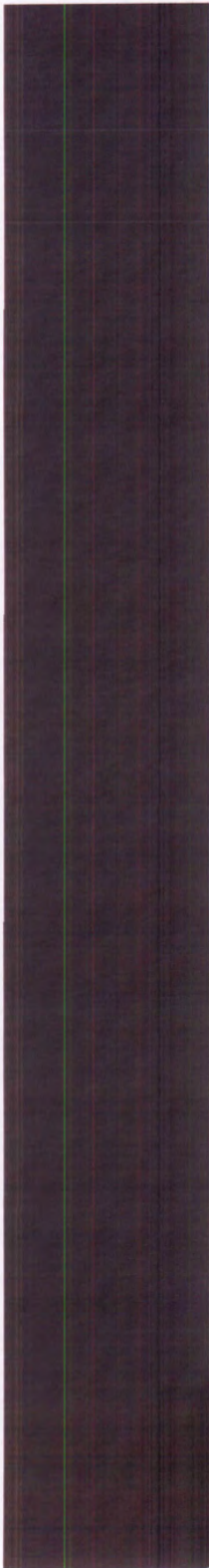
Notified 10 Nov 07
Entered into USARCS 10 Nov 07

OSI 927 016



(b)(6)

(144)



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

DENIAL CLAIM FILE CHECKLIST

- Action Memo Denying the Claim
- Decision Memo
- Claim Summary Sheet
- Supporting Documents (ID Card, Ownership, Statements, etc.)

10 107
b)(3), (b)(6)

DENIAL CLAIM FILE CHECKLIST

- Action Memo Denying the Claim
- Decision Memo
- Claim Summary Sheet
- Supporting Documents (ID Card, Ownership, Statements, etc.)

(b)(6) **CLAIMS CHECKLIST**

CLAIM NUMBER: [redacted] AMOUNT OF CLAIM: \$ 3000.⁰⁰

CLAIMANT'S NAME: [redacted] (b)(6)

DATE OF INCIDENT: 26 Aug 07 DATE FILED: DATE RECEIVED:

CLAIM TYPE:

Vehicle Damage Detainee Property Damage During Raids

SAF Damage/Injury Real Estate Other (Death)

CLAIM AROSE FROM:

Combat Activities Non-combat Activities

CLAIM IS:

Payable Not Payable

BRIEF OVERVIEW: Claimant states US Forces Conducted a Controlled Det. on a neighbors House Causing a wall to fall on his daughter and Kill Her

REMARKS:
Recommend Approval / Denial Full Amount

REVIEWED BY: [redacted] (b)(6), (b)(3) DATE REVIEWED: 19 Sep 07

FCC COMMENTS

Deny 1-38 IN paid \$2,500 for property damage and \$2,500 for the death. This has already been paid.

DATE APPROVED/DENIED: 6 NOV 07

DENIED NO CERP-already paid. APPROVED

Denial Memo Amount Approved: _____

Approval Memo

Settlement Agreement

SF 1034

Disbursing Officer Memo



REPLY TO
ATTENTION OF:

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

AFZN-BC-FCC

Claim of [REDACTED] 08-192-T016

ACTION

1. Facts: The claimant alleges that on 26 August 2007, American forces conducted a controlled detonation on his neighbors house causing a wall to fall on his daughter and kill her.
2. Opinion: The FCA permits compensation for damages caused by negligent or wrongful acts of US forces. There is insufficient evidence of negligence by U.S. Forces.
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.

[REDACTED]
(b)(3)(b)(6)

CPT, JA
FCC 192

CENTCOM 010950

08-192-T016-00006



REPLY TO
ATTENTION OF

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

November 9, 2007

4th Infantry Brigade Combat Team Legal Office

(b)(6)

Claim #08-192-T016
Baghdad, Iraq

Dear Sir:

You have submitted a claim seeking compensation for the death of your daughter caused by a controlled detonation caused by U.S. forces on 26 August 2007. I have thoroughly reviewed your claim pursuant to the Foreign Claims Act (FCA), Title 10, United States Code § 2734, Army Regulation 27-20 (Claims) and Department of the Army Pamphlet 27-162 (Claims Procedures).

I have reviewed all the information included in your claim and the evidence from the resulting investigation. Unfortunately, your claim is not compensable. After reviewing your claim, it was determined that there was no evidence that US Forces acted either negligently or wrongfully. Accordingly, your claim must be denied.

If you are dissatisfied by this action, you may request reconsideration of the decision in accordance with Army Regulation 27-20. Any such request must be based on new or additional evidence and should be forwarded to this office. While there is no prescribed format for such a request, it must describe the legal and/or factual basis for relief. Any request for reconsideration should be made in writing within 30 days of your receipt of this letter. Thank you for your kind attention.

Sincerely,

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

Captain, U.S. Army
Foreign Claims Commission I92

CENTCOM 010951

08-192-T016-00007



REPLY TO
ATTENTION OF:

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

AFZN-BC-FCC

Claim of (b)(6) 08-192-T016

ACTION

1. Facts: The claimant alleges that on 26 August 2007, American forces conducted a controlled detonation on his neighbors house causing a wall to fall on his daughter and kill her.
2. Opinion: The FCA permits compensation for damages caused by negligent or wrongful acts of US forces. There is insufficient evidence of negligence by U.S. Forces.
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.

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

CPT, JA
FCC 192

CENTCOM 010952
08-192-T016-00008

I talked with the claimant he said that
the unit paid him 10K for his on the
same date accident for his house & heated
for his Daughter. 1/3/007
Taha 3/5/007/2007 * Claimant
has rec'd
\$5,000.00
Already

Claims Form
طلب تعويض

Name: Foreign Language Text
(b)(6)

Phone Number

- I am *Iraqi*
- a. A national citizen of: Foreign Language Text *أهل جنسية:*
 - b. A permanent resident of: *aboo* (b)(6) *م. عوائل الدائم:*
 - c. Employed by: *retired* (b)(6) *ت. عمل لدي:*

I hereby make a claim against the United States Government for damages or injuries caused by: (Name, Organization, Military Department, Address, and Telephone Number)

*Shot at the home base
Coalition Forces attacked my home on 19 June 2007 caused killing my daughter*

Foreign Language Text (b)(6)

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.)

الممتلكات المتضررة مملوكة من: (إذا كان هذا التعويض قدم من قبل مستق أو قريب أو عاش في جوار أحياء المؤسسات التي تقولكم وتوكلكم للتقدم بهذا التعويض، أو أي دليل من ممتلكين رهنين. أصل التعويض بالأصل للأفراد المتضررين بالشكوى للإصابات أو الأضرار التي أصابهم.)

My claim arose at: (Town)
Foreign Language Text (b)(6), Foreign Language Text
Baghdad

My claim arose on _____

Foreign Language Text

26 Aug 2007

Give a brief statement of the accident or incident on which the claim for damages to property or for personal injury is based, (if necessary, attach a copy of the report of the investigating authority.)

His forces exploded his neighbor's empty house behind his claimant house on 6/19/2007 at 03:00 PM

because of that explosive the wall fell down on his daughter and she died

List in detail the amount of property damage and itemized expenses resulting from the property damage or personal injury, as far as they are ascertainable.

Item	Amount
Damage to house	
Death of his daughter	
Total:	

أدرج بالتفصيل مبالغ الأضرار والمصاريف المتعلقة بالضرر أو الإصابة المادية والمالية، وبنسبة ما يمكن تحديدها من الأضرار الشخصية (إن وجدت)

القيمة المقدرة

القيمة المقدرة

I was insured to the following extent for the damage or injury I have sustained:

NO INSURANCE

لم تكن تأمين على الممتلكات أو المور المصدري المتضرر بنا يوازي:

I claim as damages: (In words and figures and legal currency)

\$ 3000

I.D. 3250

مبلغ تعويض المور أو يوازي (التي يتولاها الأمريكي من املة اعدي

I (have/ have not) previously filed a claim for the incident described above.

لم أكون قد تقدمت سابقا بطلب تعويض لهذه الحادثة المذكورة أعلاه

To the best of my knowledge, no other claim (has/ has not) been filed relating to the incident described above.

بحسب علمي من عدمه، لم يتم تقديم أي طلب تعويض متعلق بهذه الحادثة المذكورة أعلاه

NOTE: BY SIGNING THIS CLAIM I CONSPIRE TO GAMIFY THE GOVERNMENT

بالتوقيع على هذا الطلب، أكون قد اتهمته بالتآمر ضد الحكومة

Foreign Language Text, (b)(6)

THE INFORMATION PROVIDED BY THIS CLAIMANT IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN THAT OF THE UNITED STATES GOVERNMENT

ملاحظة: المعلومات التي تم تقديمها في هذا الطلب هي لأغراض الحكومة الأمريكية فقط ولا ينبغي استخدامها لأي غرض آخر

(b)(6)

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

CENTCOM 010957

08-I92-T016-00013

Foreign Language Text, (b)(6)

CENTCOM 010053
08-192-T016-00014

Foreign Language Text, (b)(6)

CENTCOM 010959

08-192-T016-00015

Death of certificate

Foreign Language Text

Foreign Language Text, (b)(6)

CENTCOM 010960
08-192-1016-00016

Foreign Language Text, (b)(6)

CENTCOM 010961
08-192-T016-00017

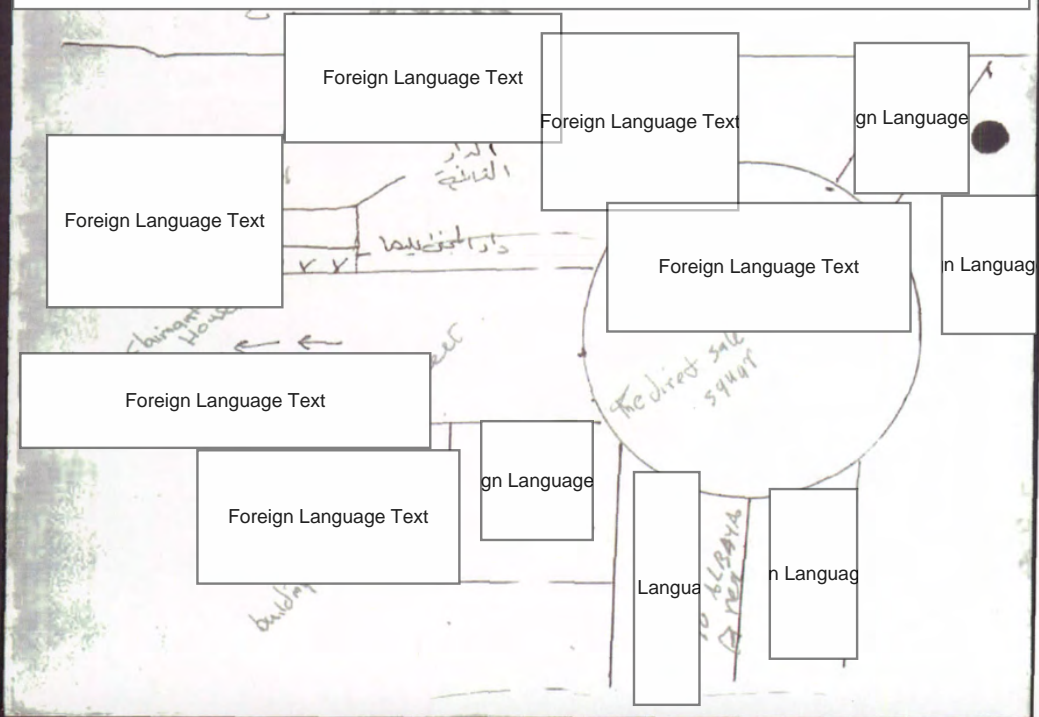
Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

Foreign Language Text

*the police examine the
in hospital they
in breach of
coming out of*

Foreign Language Text, (b)(6)



CENTCOM 010963
08-182-1016-00019

Foreign Language Text, (b)(6)

witness

US forces exploded his neighbor house
near and behind the claimant house and that
caused damage on the house due to his
daughter hit by wall and died.

CENTCOM 010964
08-192-T016-00020

Foreign Language Text

سُرقة، لبيع اسب

Foreign Language Text

Foreign Language Text, (b)(6)

police report
The police examine carefully the claimant
statement and contacted
with accident.

Foreign Language Text, (b)(6)

*15000 paid by unit
153000 for 3000 for his daughter*

(b)(6)

Foreign Language Text

Foreign Language Text, (b)(6)

Foreign Language Text

Foreign Language Text

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

and the wife of daughter she died - and she was married

(b)(6)

Foreign Language Text, (b)(6)

Police rep

CENTCOM 010987
08-192-1016-00023

Foreign Language Text, (b)(6)

The claimant that his
daughter was expired to
an accident caused on killing
his daughter.

CENTCOM 010968
08-192-1016-00024

Foreign Language Text, (b)(6)

CENTCOM 010969
08-192-1018-00025

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

*This is
Empire
Destroyed*

Foreign Language Text, (b)(6)

CENTCOM 010971
08-192-1016-00027

Foreign Language Text, (b)(6)

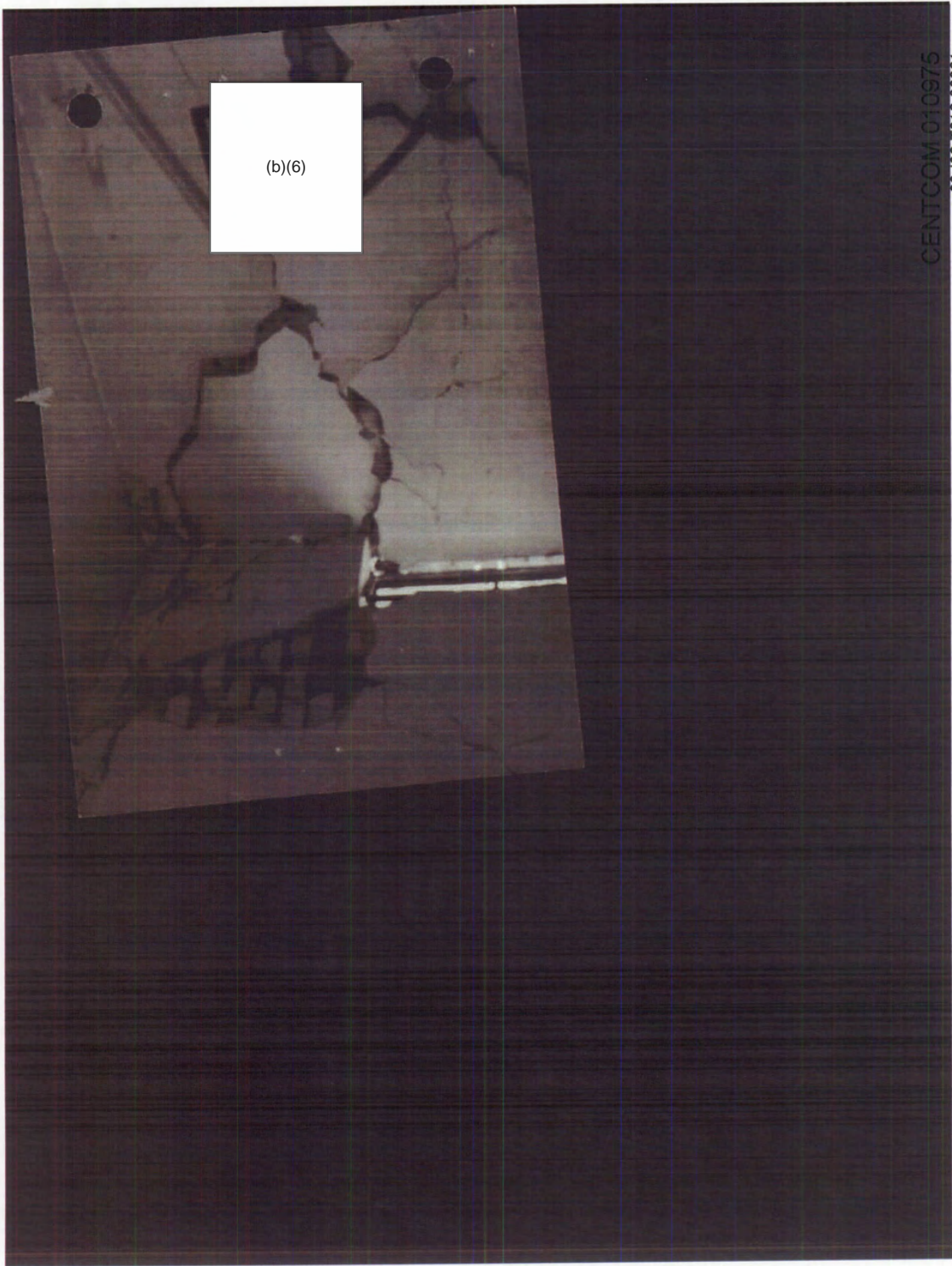
CENTCOM 010972
08-192-1018-00028



CENTCOM 010973
08-192-1016-00029



CENTCOM 010974
08-192-1016-00030



(b)(6)

CENTCOM 010975
08-192-1016-00031



CENTCOM 010976
08-192-T016-00032