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Death  
Claims  
from

Pop /

#08IM1T017

(b)(6)

b)(3)(b)(6)

08IM1T017 ( (b)(6) ) - Tort Claims Chronology Sheet

Page \_\_\_\_

Incident Date: 12/06/2007 Date Filed: 06/24/2008 Claim Owner Office: FCC IM1 HHC 76th Inf Bde (15K) (IM1)

Date	Facts	Initials
24 Jun 08	Claim was filed at the CMOC	(b)(3)(b)(6)
1 Jul 08	CF shot and killed (b)(6)	
	(b)(6) during a combat operation. This	
	claim is barred under the FCA because CF	
	actions constituted combat activity.	(b)(3)(b)(6)
2 Jul 08	Claim was denied.	(b)(3)(b)(6)



DEPARTMENT OF THE ARMY  
HEADQUARTERS, 76TH INFANTRY BRIGADE  
JOINT BASE BALAD, IRAQ  
APO AE 09391  
COMBAT TEAM

AETV-JA

1 July 2008

MEMORANDUM OF OPINION

SUBJECT: Claim of (b)(3),(b)(6)

1. Identifying Data: #08IM1T017, (b)(3),(b)(6)
2. Date and place the incident occurred giving rise to the claim: The claim occurred on 6 December 2007, near Kharagul, Iraq.
3. Claimant has claimed damages in the amount of \$10,000.00
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 filed in a timely and proper manner.
5. Facts:
  - a. (b)(6) claims that Coalition Forces shot and killed her husband on 6 December 2008.
  - b. Coalition Forces killed (b)(6) during a combat operation on 6 December 2008 near Kharagul.
6. Opinion: In order to form a basis for a claim under the FCA, the incident has to occur outside of the United States and be from either non-combat activities of the U.S. Armed Forces or by negligent or wrongful acts of military members or civilian employees of the Armed Forces. This claim is barred under the FCA because Coalition Forces actions constituted combat activity.
7. Recommendation: This claim is not payable for the above mentioned reasons and is denied. Any appeal must be submitted within 30 days.

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

MAJ, JA  
Chief of Claims

08-IM1-T017-00004



# TF Bastogne Claims Form



To: United States Army Foreign Claims Commission.

From: Name: (b)(6)

POA/ATI: \_\_\_\_\_

Power of Attorney provided and interpreter approved: \_\_\_\_\_

Decedents: (b)(6)

Hometown: \_\_\_\_\_ Iraqi Resident: \_\_\_\_\_

My claim arose at: Albu Faze (Town) Iraq (City) (Country)

My claim arose on: December (Month) 6 (Day) 2007 (Year) 0130 hrs

Proof of Ownership: \_\_\_\_\_

Interpreter Approved: \_\_\_\_\_

Death Certificates/Medical Report (Name, Hospital, Cause of Injury/Death, Age, and Time of Injury/Death Consistent with Claimant allegations):

Interpreter Approved: \_\_\_\_\_

Legal Expert Opinion: \_\_\_\_\_

Interpreter Approved: \_\_\_\_\_

Witness Statement(s)(Consistent?): \_\_\_\_\_

Interpreter Approved: \_\_\_\_\_

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.)

My husband (b)(6) went out to our orchard after he saw lights and noise. CF shot and killed him and gave me some rice and other gifts saying they were sorry. I am asking for compensation and that is why I am filing a complaint against CF.

Evidence (photos/repair estimates/witnesses): \_\_\_\_\_



# TF Bastogne Claims Form



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.)

<u>Item</u>	<u>Amount</u>

Total Damage: \_\_\_\_\_

I was insured to the following extent against the damage or injuries I have sustained:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\$ 4,600.<sup>00</sup> local currency \_\_\_\_\_

\_\_\_\_\_  
(Signature of Claimant)

Subscribed before me this 24 day of June, 2008.

(Print Name)

(Signature)

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

Pages 7 through 12 redacted for the following reasons:

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(b)(6), Foreign Language

Foreign Language Text, (b)(6)



Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

Foreign Language Text

Foreign Language Text

Foreign Language Text

Foreign Language Text

Foreign Language Text

Foreign Language Text

Foreign Language Text

IP dujeel  
Jan.2<sup>nd</sup> 2008

The person (b)(6) al tememi born (b)(6) house wife live in (b)(6)  
(b)(6) she claim this testimony:

On Dec 6<sup>th</sup> 2007 pass away my husband from wound was shot by CF he was walking round the house in same time was air assault by CF they were suspicious about him so they shot him knowingly father for a family of (b)(6) individual and he is old man and sick in same time so I came to IP of Dujeel to write my testimony and make complain against the CF which they did this . I do not have any other information and this is my testimony

I.T  
(b)(6)  
Jan 20<sup>th</sup> 2008

The witness  
(b)(6)  
Jan 20<sup>th</sup> 2008

Page 19 redacted for the following reason:

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(b)(6), Foreign Language Text

Republican Of Iraq  
court  
Highest judicial Council  
Court Of Appeal Salah El din

Dujeel House

File no/28/08  
date 29/01/08

Legitimate of Lot

I'm the Judge of the dujeel court house Mr. [redacted] (b)(6) To  
determined Register the following:

According to request Ms [redacted] (b)(6) in date of 29/01/08 and the  
Taxes office order and the Juvenile office, accorden to death certificate  
No# [redacted] (b)(6) in 17/07/07 to Mr [redacted] (b)(6) .he's past away and  
which he's bequest (personal property ) to divided between he's family, one  
of them ,his wife Ms [redacted] (b)(6)

Judge

[redacted] (b)(6)

29/01/08

Page 21 redacted for the following reason:  
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(b)(6), Foreign Language Text



Aldujeel IP station

Jan.20<sup>th</sup> 2008

Witness [redacted] (b)(6)

I was born in [redacted] (b)(6) resident of dujeel my job is [redacted] (b)(6) (no profession) this is my testimony:

On Dec.6 2007 Mr. [redacted] (b)(6) past away suffering from his injury due to CF assault, however he getting off and for that CF was suspicious about him.

He is married with [redacted] (b)(6) kids, I went to dujeel IP station to confess my testimony.

IP I.T

[redacted] (b)(6)

Jan.20<sup>th</sup> 2008

08-IM1-T017-00022

Page 23 redacted for the following reason:

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(b)(6), Foreign Language Text

Honorable Judge Of Investigate In Dujeel

Al Dujeel Police Station

Accordant to your decision in 20/01/08 we send to your honor to prove Ms,  
(b)(6) testimony about her complainant

Attached copy of Legitimate of Lot. and we take the witness Mr (b)(6)  
testimony .please be review there testimony.

IP LTC

(b)(6)

20/01/08

Foreign Language Text, (b)(6)

Incidents Report

Al Dujeel Police Station

20/01/08

To honorably Judge Investigation of Dujeel

We are IP Maj [redacted] (b)(6) investigate the incident side,acordent to  
Ms [redacted] (b)(6) complain ,for that we proved your honor the  
Incident report to review it ,and we attached all the document.

IP Maj

[redacted] (b)(6)



Request

Honorable Judge Of Investigate In Dujeel

Please be accepted to providing me copy of my incident report

Depositor with the al dujeel police station.

I do need that for my compensated complaint

Complainant

Ms,

(b)(6)

Foreign Language Text, (b)(6)



Court of investigation in Dujee

Jan 1<sup>st</sup> 2008

Testimony of [redacted] (b)(6) born [redacted] (b)(6) her job house wife live in [redacted] (b)(6) and this is her testimony.

On Dec 6<sup>th</sup> 2008 my husband die his name is [redacted] (b)(6) one o'clock after mid night in front door of the house CF shot at him while he was checking round the house at night CF was suspicious for that I submit claim against the CF for compensation knowingly my dad and husband is dead and I have [redacted] (b)(6) kids and this is my testimony

The iudge

[redacted] (b)(6)

Foreign Language Text, (b)(6)

IP of Dujeeel

Draw for side of the incident

1-The accident side is (b)(6)

2- The side of the accident is residential area

3-I did not get any other things that is useful for the investigation

Major (b)(6)  
The draw

(b)(6)

Foreign Language Text

(b)(6)

*Al Hatimah*

Foreign Language Text

Foreign Language Text

Foreign Language Text

Foreign Language Text

Foreign Language Text

Foreign Language Text

Foreign Language Text

IP dujeel  
Jan. 2<sup>nd</sup> 2008

The person [redacted] (b)(6) born [redacted] (b)(6) house wife live in [redacted] (b)(6)  
[redacted] (b)(6) she claim this testimony:

On Dec 6<sup>th</sup> 2007 pass away my husband from wound was shot by CF he was walking round the house in same time was air assault by CF they were suspicious about him so they shot him knowingly father for a family of [redacted] (b)(6) individual and he is old man and sick in same time so I came to IP of Dujeeel to write my testimony and make complain against the CF which they did this . I do not have any other information and this is my testimony

LT

[redacted] (b)(6)  
Jan 20<sup>th</sup> 2008

The witness

[redacted] (b)(6)  
Jan 20<sup>th</sup> 2008

Page 35 redacted for the following reason:  
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Foreign Language Text, (b)(6)

Republican Of Iraq  
court  
Highest judicial Council  
Court Of Appeal Salah El din

Dujeel House

File no/28/08  
date 29/01/08

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which he's bequest (personal property ) to divided between he's family, one  
of them ,his wife Ms. [redacted] (b)(6)

Judge

[redacted] (b)(6)

29/01/08

Page 37 redacted for the following reason:

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(b)(6), Foreign Language Text



Aldujeel IP station

Jan.20<sup>th</sup> 2008

Witness / [redacted] (b)(6)

I was born in [redacted] (b)(6) resident of [redacted] (b)(6) my job is [redacted] (b)(6) (no profession) this is my testimony:

On Dec.6 2007 Mr. [redacted] (b)(6) past away suffering from his injury due to CF assault, however he getting off and for that CF was suspicious about him.

He is married with [redacted] (b)(6) kids, I went to dujeel IP station to confess my testimony.

IP LT

[redacted] (b)(6)

Jan.20<sup>th</sup> 2008

Pages 39 through 40 redacted for the following reasons:

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Already Reviewed and Redacted for Release  
Foreign Language Text, (b)(6)

Foreign Language Text, (b)(6)

Pages 42 through 44 redacted for the following reasons:

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Already Reviewed and Redacted for Release  
Previously Released

Foreign Language Text, (b)(6)

Page 46 redacted for the following reason:  
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Already Reviewed and Redacted for Release

Foreign Language Text, (b)(6)

Pages 48 through 49 redacted for the following reasons:  
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Already Reviewed and Redacted for Release