



APPEAL PANEL DECISION FORM

I. CLAIMANT AND CLAIM INFORMATION

Claimant Name	Last/Name of Business	First	Middle
	[REDACTED]		
Claimant ID	[REDACTED]	Claim ID	[REDACTED]
Claim Type	Business Economic Loss		
Law Firm	[REDACTED]		

II. DECISION

Select the Compensation Amount set forth in either BP's Final Proposal or the Claimant's Final Proposal as the final outcome on the claim and check the appropriate box to signify your decision.

<input type="checkbox"/> BP's Final Proposal	Compensation Amount	\$0
	Risk Transfer Premium	.25
	Prior Payment Offset	\$0
<input checked="" type="checkbox"/> Claimant's Final Proposal	Compensation Amount	\$73,464.55
	Risk Transfer Premium	.25
	Prior Payment Offset	\$0

III. PRIMARY BASIS FOR PANELIST DECISION

Please select the primary basis for your decision. You may also write a comment describing the basis for your decision.

- Error in documentation review.**
- Error in calculation.**
- Error in RTP multiplier.**
- Error in Prior Spill-Related Payment Amount.**
- No error.**

Comment (optional):

BP appeals this BEL award in favor of [REDACTED] an arts non-profit entity. BP's objection is based on the fact that the CA included grants and in kind donations in its calculation of income. Nevertheless, BP acknowledges that the District Court's prior order affirms the claims administrator's policy that non-profit grants are typically revenue for purposes of the Settlement Agreement. BP makes a strained argument that the grant at issue was not typical so it should not be covered by the court's ruling. Even though there is no evidence this

grant was not typical, the court's order does not say that the grant has to be typical. The ruling says that grants are typically treated as income. This attempt to twist the pertinent language does not give BP the basis of a valid appeal.

Likewise, the CA has also adopted the policy that contributions are to be treated as income. The argument about the in-kind contributions is without merit as well.

Moreover, even if BP was correct on both points, claimant's final proposal would be much closer to the number than BP's final proposal of 0. For all the foregoing reasons, the award in favor of claimant's final proposal is affirmed.