



APPEAL PANEL DECISION FORM

I. CLAIMANT AND CLAIM INFORMATION

Claimant Name	Last/Name of Business ██████████	First ██████████	Middle ██████████
Claimant ID	██████████	Claim ID	██████████
Claim Type	Business Economic Loss		
Law Firm	████████████████████		

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	\$8,930
	Risk Transfer Premium	.25
	Prior Payment Offset	\$0
<input checked="" type="checkbox"/> Claimant's Final Proposal	Compensation Amount	\$42,122.95
	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):

██████████ filed this Business Economic Loss claim under the Settlement Agreement. After applying Policy 495, the Settlement Program awarded ██████████ \$42,122.95, pre-RTP. BP appeals. BP's sole point on appeal is that the Settlement Program improperly applied Policy 495. In doing so, BP argues the Settlement Program failed to match revenues and expenses as required by both the U. S. Court of Appeals for the Fifth Circuit, the supervising Federal Court, and Policy 495. My review of the various Calculation Schedules indicates



that Policy 495 was followed and that BP's true objection must be to the methodology and assumptions underlying Policy 495. Here, it is evident that the Settlement Program scrupulously followed the Policy. For example, Doc. ID [REDACTED] reflects correspondence from the Settlement Program accounting team to Claimant's accountant, [REDACTED]. The correspondence requested significant documentation for the Profit & Loss Statements for 2007, 2008, 2009, 2010, and 2011. In addition, other information was requested. All of this information was needed to process [REDACTED] claim properly under Policy 495. Given that the true challenge is to Policy 495 itself, let me address the topic briefly. Policy 495 is a well-reasoned, carefully applied methodology designed to address concerns over the proper matching of revenues and expenses over time. It may be that from time to time there can be disputes over choices made in applying the methodology. However, Policy 495 itself is sound, especially given the lack of a reliable alternative. This is a "baseball" appeal, meaning that the Final Proposal closest to the correct award prevails. [REDACTED] Final Proposal is closest.