

APPEAL PANEL DECISION FORM

I. CLAIMANT AND CLAIM INFORMATION

Claimant Name	<small>Last/Name of Business</small> [REDACTED]	<small>First</small> [REDACTED]	<small>Middle</small> [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	\$160,991.11
	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 the BEL award to this [REDACTED] FL pet store which the Claims Administrator determined was entitled to \$163,605.11 (pre-RTP). BP argues that the Settlement Program erroneously relied upon financial information from three "separate, distinct and unrelated legal entities" and, further, mischaracterized Claimant's expenses for "outside services and grooming." Alternatively, BP contends that the Claims Administrator should have processed the claim as a failed business, rather than under the BEL framework. The Claims Administrator

considered financial information from Claimant (██████████) as well as ██████████ ██████████ in calculating the award. Despite BP's claim that these companies are "separate and distinct," the record demonstrates that Claimant is a qualified subchapter s of its parent company, ██████████ and, thus, is not considered a separate entity. Further, Claimant purchased ██████████ in 2008, becoming ██████████ successor-in-interest and carrying on the same operation of business, without interruption. I am satisfied that the Claims Administrator properly considered financial information from these entities and, further, that the claim was properly processed as a BEL Claim. Claimant conceded the issue of the characterization of its outside services and grooming expense and reduced its claim by \$2,614 (pre-RTP), thus rendering the issue moot. BP's final proposal of \$0 is not supported by the record and, accordingly, I find that the claimant's Final Proposal is the proper award.