



APPEAL PANEL DECISION FORM

I. CLAIMANT AND CLAIM INFORMATION

Claimant Name	Last/Name of Business [REDACTED]	First [REDACTED]	Middle
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	\$22,722.49
	Risk Transfer Premium	1.50
	Prior Payment Offset	\$0
<input checked="" type="checkbox"/> Claimant's Final Proposal	Compensation Amount	\$79,094.49
	Risk Transfer Premium	1.50
	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):

Decision comment uploaded to portal

[REDACTED]

Claim ID [REDACTED]

BP asserts in this appeal that the revenues used in the BEL framework were not properly matched. Claimant is a real estate agent located in Sanibel, Florida.

A careful review of the record discloses that the Settlement Program reviewed Claimant's data and the program accountants determined that her BEL claim was 'sufficiently matched' under Policy 495 following the initial review as required under Section I thereof.

The Settlement program's Accountants reviewed Claimant's data under the seven factors set forth in Policy 495, Section I, and found that the information in the record adequately addressed the potential matching issues, as "revenue was supported by third party commission statements' and 'dormancy months are due to the nature of the real estate agent business.'" See Doc. ID No. [REDACTED]. Hence, the Settlement Program's accountants conducted the required analysis and due diligence outlined in Policy 495 and correctly found that Claimant's data was sufficiently matched.

BP's brief failed to address the seven factors set forth Section I of Policy 495, or provide any basis on how, specifically, the Settlement Program's accountants erred in reviewing Claimant's data in light of those factors. Policy 495 provides no basis for imposing changes to the Claimant's contemporaneously maintained financial information where, as here, the Settlement Program's accountants followed the Policy's requirements and exercised their accounting judgment to determine that the claim's supporting financial information did not contain errors, and was sufficiently matched.

Claimant's data was not required to be reviewed under the methodology set forth in Section II of Policy 495 (as urged by BP) because the Settlement Program's accountants determined that her financial information was sufficiently matched. Settlement Program's Eligibility Notice, Doc. ID No. [REDACTED] at 6. The Section II analysis was not triggered.

In addition, BP asserts the Settlement Program erred by failing to properly classify Claimant's "Remax Rent & Fees" expense. This expense is clearly fixed in nature, and was properly classified by the Settlement program.

BP's appeal is denied; the award of the Claims Administrator is upheld, and Claimant's Final Proposal is hereby approved.