



**APPEAL PANEL DECISION FORM**

**I. CLAIMANT AND CLAIM INFORMATION**

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

**II. DECISION**

**Denial Upheld**

**Denial Overturned**

**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.

- Claim should have been excluded.**
- Claim should have been denied.**
- Claim should not have been excluded.**
- Claim should not have been denied.**
- No error.**

**Comment (optional):**

██████████ filed this Business Economic Loss claim under the Settlement Agreement. The Settlement Program denied the claim and upon Re-Review and Reconsideration, denied the claim two more times. ██████████ appealed. On appeal, ██████████ raises two points of error. First, ██████████ argues that the Settlement Program misclassified ██████████ as a "Musical Instrument Store" when ██████████ should have been classified as an "All Other General Merchandise Store." If true, ██████████ should be classified as a tourism industry with causation of damages presumed. ██████████ strikes the wrong note, however. ██████████ sells professional drum sets, guitars, band instruments, church organs, pianos, and the like. The Claims Administrator correctly scored ██████████ NAICS code. ██████████ second argument is that it meets the decline-only causation test set out in Exhibit 4B of the Settlement Agreement. ██████████ argument is based upon a letter written by its attorney. This does not meet the standard of objective third party evidence required by the Settlement Agreement. Moreover, to the extent the statement can be relied upon, it addresses such a small amount of Claimant's revenues as to be virtually irrelevant. I uphold the denial of the claim.