



**APPEAL PANEL DECISION FORM**

**I. CLAIMANT AND CLAIM INFORMATION**

<b>Claimant Name</b>	Last/Name of Business [REDACTED]	First	Middle
<b>Claimant ID</b>	[REDACTED]	<b>Claim ID</b>	[REDACTED]
<b>Claim Type</b>	Business Economic Loss		
<b>Law Firm</b>	[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"/> <b>BP's Final Proposal</b>	<b>Compensation Amount</b>	<b>\$0</b>
	<b>Risk Transfer Premium</b>	<b>.25</b>
	<b>Prior Payment Offset</b>	<b>\$0</b>
<input checked="" type="checkbox"/> <b>Claimant's Final Proposal</b>	<b>Compensation Amount</b>	<b>\$31,764</b>
	<b>Risk Transfer Premium</b>	<b>.25</b>
	<b>Prior Payment Offset</b>	<b>\$0</b>

**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] a sign manufacturer located in [REDACTED], Fla. BP suggests the Settlement Program's finding was incorrect because truck maintenance, reimbursed expenses, miscellaneous expenses and shop supplies were incorrectly classified as fixed when they should have been considered as variable. With respect to truck maintenance, appellant argues that at least 50 % of this item should have been classified as variable. Claimant concedes to this allocation and reduced its final proposal

accordingly. Therefore, the debate on this item is moot. With respect to the other expense entries, BP only specifies the numerical difference one of them would make. However, all of the remaining items taken together are not large enough to move the needle when BP's final proposal is 0. More importantly, there is sufficient grounds to consider each of these expenses as fixed under Exhibit 4D of the Settlement Agreement. Claimant contends that reimbursed expenses pertain to office supplies and shop supplies. Therefore, there is a basis to include this item and the separate shop supply entry as fixed expenses since 4D lists supplies in the fixed category. The other point of contention, miscellaneous expense is also listed as a fixed cost under the Settlement Agreement. Accordingly, there is a finding herein dismissing BP's appeal and affirming the claimant's final proposal.