



APPEAL PANEL DECISION FORM

I. CLAIMANT AND CLAIM INFORMATION

Claimant Name	Last/Name of Business [REDACTED]	First	Middle
Claimant ID	[REDACTED]	Claim ID	[REDACTED]
Claim Type	Business Economic Loss		
Law Firm	[REDACTED]		

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):

See uploaded reasons

CLAIMANT: [REDACTED]

CLAIM ID: [REDACTED]

This is a BEL Claim asserted by a business which operates a Chevron gas station in [REDACTED], Alabama (Zone D). The Claim Administrator reviewed Claimant's submitted financials and determined that Claimant failed V-Shaped Revenue Pattern in Exhibit 4-B of the Settlement Agreement. Claimant brings this appeal.

It is clear that the income tax returns and Profit & Loss submitted by Claimant prior to the Denial Notice do not meet the requirements of Exhibit 4-B.

Not to be denied, after the Denial Notice, Claimant filed quite a different Profit & Loss statement. For example, Claimant's 2010 Tax Returns and originally filed 2010 Profit and Loss statement show annual revenue of \$5,889,803.93. After the Denial Notice, Claimant filed another 2010 Profit and Loss statement which showed total income for 2010 of \$20,577.00. Since this Panelist has yet to see anyone want to pay more taxes than they owe, it is clear that the tax returns and Profit & Loss filed originally are accurate. That being the case, Claimant fails the Exhibit 4-B test and the claim was appropriately denied.