

APPEAL PANEL DECISION FORM

I. CLAIMANT AND CLAIM INFORMATION

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

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	\$52,162.84
	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 in its appeal brief questions this BEL award to an Alabama realtor on two grounds. It is baffling to this panelist that its primary basis contained in its brief, e.g. the alleged failure of the Administrator to investigate a Related Party issue concerning Claimant's ownership interest in an entity from which he receives all of his revenue, was not mentioned in BP's Notice of Appeal. Accordingly, pursuant to Rules 9 and 14, this issue has not been preserved for appeal, despite Claimant's counsel's detailed and effective discussion of same in its reply

brief. BP's only remaining preserved basis for appeal is now all too familiar, arguing that Claimant's spiked months of revenue were not satisfactorily reallocated under Policy 495's AVM methodology, and asserting that instead Professional Services should have been used. Claimant's counsel should be congratulated for its comprehensive reply to this issue. In short, this appeal, like many others, cannot be sustained, since the the broad judgment of the Program vendors to use AVM methodology in this case was certainly justifiable, and the said Policy does not require exact matching.