

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	\$152,552
	Risk Transfer Premium	.25
	Prior Payment Offset	\$0
<input checked="" type="checkbox"/> Claimant's Final Proposal	Compensation Amount	\$168,603.38
	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)*:

████████████████████ filed this Business Economic Loss claim under the Settlement Agreement. The Settlement Program awarded \$168,603.38, pre-RTP. BP appeals. BP's Final Proposal narrows the issue to the Settlement Program's treatment of Workers' Compensation Insurance as fixed rather than variable. The heart of the confusion is BP's belief that "Total Payroll Expense" governs. While important, the critical point is that "Insurance" is an agreed Fixed Cost under the Settlement Agreement, Exhibit 4D. The expense in question here



is an insurance expense and therefore properly characterized as fixed. There is no error in the Settlement Program award. Claimant's Final Proposal adopts the Settlement Program's award and therefore prevails.