

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

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):

Mr. ██████████ filed this appeal to contest the Claims Administrator's denial of his claim as excluded under section 2.2.4.1. of the Settlement Agreement. The Claims Administrator determined on three occasions that the proper NAICS code for Mr. ██████████'s work as a mortgage broker (522310) excludes his claim. Indeed, as BP points out, his tax returns list "Agent Mortgage Broker" as his "principal business or profession" and the record shows that his W-2 income does result, in part, from services as a mortgage broker. Mr. ██████████ disputes this characterization and, while not denying that he did, at times, serve as a mortgage broker, his "primary" business was as a real estate agent. He contends that the description on his Schedule C was a mistake by his accountant and that NAICS Code 522310 describes services "primarily engaged in arranging loans." He also maintains that he has not sought compensation for any of his revenue as a mortgage broker. The Claims Administrator is to determine the proper NAICS Code for a business based upon the totality of the circumstances. While 522310 is listed as one of the excluded NAICS codes in the Settlement Agreement, it is not necessarily determinative of the outcome of this appeal. Mr. ██████████ provided a statement from his accountant that stated that he always worked as both a real estate agent and a mortgage broker. After a careful review of the record, this panelist is not persuaded that the Claims Administrator's decision is in error and, accordingly, the appeal is denied.



DEEPWATER HORIZON
CLAIMS CENTER
ECONOMIC & PROPERTY DAMAGE CLAIMS

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