



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	\$72,658.32
	Risk Transfer Premium	.25
	Prior Payment Offset	\$0
<input checked="" type="checkbox"/> Claimant's Final Proposal	Compensation Amount	\$99,790.32
	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):

Reasons uploaded

CLAIMANT: [REDACTED]

CLAIM ID: [REDACTED]

Claimant is a construction company in [REDACTED]. After applying the Construction Methodology under Policy 495, the Settlement Program awarded Claimant the sum of \$99,790.32 (pre - 0.25 RTP). BP appeals and asserts the award should be \$72,658.32 (pre - 0.25 RTP).

Claimant's financials are posted monthly on a cash basis. An accrued adjustment is recorded in December of each year. This is due to the fact that Claimant's annual P&L's were maintained on an accrual basis for general ledger, and licensing purposes. BP asserts that use of the annual accrual-based P&L's would reduce the award to the amount mentioned above.

Policy 464 provides, in pertinent part:

"A BEL Claimant is required to submit the monthly and annual profit and loss statements that were maintained in the regular course of Claimant's business, using the accounting method used in compiling such statements in the regular course of the Claimant's business".

The Calculation Notes reveal that the Settlement Program's professional accounting staff determined the following:

"Per correspondence with the Claimant's Counsel (Doc ID [REDACTED]):

"The Company operates on a calendar year end. The Company reports on an accrual basis for licensing purposes. However, the books are posted monthly on the cash basis & an accrual adjustment is recorded in December each year. The accrual adjustment has been eliminated in the P&Ls provided."

"The Company out sources its bookkeeping and payroll services to [REDACTED]. The CPA firm posted the books monthly from bank statements. However, the CPA firm did not issue monthly financials and would only release the general ledger detail. [REDACTED] used the monthly general ledgers to construct the monthly P&Ls provided for purposes of the BP Settlement. The P&Ls were constructed on or about August 20, 2014".

DWH Accountant reviewed the corresponding general ledgers provided, and noted that the monthly balances provided, less the December year end adjusting journal entries tie to the balances provided per the monthly P&L statements. These balances tie to the Tax Returns provided with minimal differences on a cash basis. As such, no further outreach was required."

A de novo review by this panelist reveals that the Settlement Program's professional staff properly evaluated this claim per the terms of the Settlement Agreement and Policy 46.4. Accordingly, Claimant's Final Proposal is the correct result.