

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	\$137,644
	Risk Transfer Premium	.25
	Prior Payment Offset	\$0
<input checked="" type="checkbox"/> Claimant's Final Proposal	Compensation Amount	\$249,172.26
	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 have been uploaded

Claimant: [REDACTED]
Claim ID: [REDACTED]

Claimant is a new and used large truck dealership in [REDACTED]. BP appeals the \$249,172.26 (pre - 0.25 RTP) award made to Claimant by the settlement Program. The sole issue raised by BP concerns Claimant's "9720 Deferred Credit Earned" account. BP asserts that the Settlement Program should not have included that account as part of Claimant's revenue.

The account in question is commonly referred to in the retail new car and truck business as the "hold back". The payments are made by the vehicle manufactures to the dealers based on a percentage of what the manufacturer charges the dealer for a vehicle. After a certain period of time, the manufacturer pays the "hold back" to the dealer whether the dealer has sold the vehicle or not. The Settlement Program considered these payments to the dealer as revenue and after review, this Panelist sees no error in that determination.

Claimant's Final Proposal is the proper result.