

## APPEAL PANEL DECISION FORM

### I. CLAIMANT AND CLAIM INFORMATION

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

### 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"/> <b>BP's Final Proposal</b>	<b>Compensation Amount</b>	<b>\$164,414.57</b>
	<b>Risk Transfer Premium</b>	.25
	<b>Prior Payment Offset</b>	\$0
<input checked="" type="checkbox"/> <b>Claimant's Final Proposal</b>	<b>Compensation Amount</b>	<b>\$196,000</b>
	<b>Risk Transfer Premium</b>	.25
	<b>Prior Payment Offset</b>	\$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)*:

Written reasons uploaded

CLAIMANT: [REDACTED]

CLAIM ID: [REDACTED]

Claimant, an advertising and marketing agency in [REDACTED] filed this BEL Claim and the Claims Administrator (CA) awarded the sum of \$208,524.57 (pre-.025 RTP) BP appeals on 2 issues.

BP asserts the CA erred by:

- 1) Inconsistently classifying Claimant's "editing fees" expenses, and
- 2) Inconsistently characterized Claimant's "bank service fees, credit card fees and interest-other" expenses.

BP's argument on the "editing fees" fails. In 2008, Claimant used in-house video editors and the CA properly found the expense to be fixed. In 2009 and 2010, Claimant used free-lance contract editors. The CA properly classified the expense in the three involved years.

Next, BP argues that the bank service fees and interest-other (fixed expense) in 2008 and 2009 "likely" contains credit card fees, a variable expense. BP has made the argument frequently in other appeals and it has been routinely rejected by the Appeals Panel in other appeals. Here, this Panelist, after reviewing the record, is satisfied that the CA properly classified the involved expenses in 2008, 2009, and 2010.

In an effort to amicably resolve this matter, in its Final Proposal, Claimant reduced its Compensation Amount to \$196,000.00 (pre-0.25 RTP). After review, the Claimant's Final Proposal is the correct result.