

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	\$0
	Risk Transfer Premium	.25
	Prior Payment Offset	\$0
<input checked="" type="checkbox"/> Claimant's Final Proposal	Compensation Amount	\$954,399.44
	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):

Claimant manufactures and makes wholesale sales of a unique "██████████" dispenser that uses non-aerosol technology. The system is used to dispense perfume, sun block and various sprays. The Policy 495 criteria were triggered and the P/Ls were restated. The Vendor Accountants noted no variances between the P/Ls and the tax returns and found no related party transactions. BP appeals asserting the Claimant operated two facilities, one in ██████████ and one in ██████████. Inquiry was made an assurances were received that the ██████████



plant was only used for manufacturing and all sales were conducted from the [REDACTED] location. BP also challenged the "Outside Services" expense as variable, not fixed as determined by the Administrator. That expense was also the topic of inquiry by the Accountants. Exhibit 4 D, Attachment A lists "Contract Services" as a fixed expense. The Claimant explained the expense was related to costs from a staffing company in which the Claimant did not issue a W-2 or a 1099. The Administrator properly classified it as fixed. The award is affirmed.