

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	\$50,197.82
	Risk Transfer Premium	.25
	Prior Payment Offset	\$0
<input checked="" type="checkbox"/> Claimant's Final Proposal	Compensation Amount	\$56,806.82
	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):

BP appeals the amount of the BEL award to Claimant (██████████), a wholesaler of equestrian supplies, based on BP's view that the Settlement Program erred in classifying as fixed five of ██████'s expense line items which incorporated the word "Shipping" in their description, e.g., "Selling, Shipping & Design," "Shipping Supplies-Misc." BP says these line items should have been deemed variable "Freight" expenses under Exhibit 4D to the Settlement Agreement. ██████ counters with a category-by-category analysis of the several line



items involved and explains why in each instance the category has nothing to do with physically moving any goods from one location to another but, rather, with the procurement, evaluation, testing and coordinating with marketing materials, the materials ■■■ must use to package, stuff, print labels for, seal and otherwise prepare for shipping its various products. Thus, BP's speculation about the nature of the line items is cleared up and no error in the Settlement Program's classification of the expense items is shown. BP's Final Proposal would deduct \$6,609.00 from the Program's pre-RTP award of \$56,806,82, to account for what BP says would be the deduction resulting from a reclassifying of the "shipping" items as variable. ■■■'s final Proposal is in the amount of the award and is chosen under the controlling Baseball Process. Appeal denied.