



**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**In Re: Oil Spill by the Oil Rig  
“Deepwater Horizon” in the Gulf  
of Mexico, on April 20, 2010**

**MDL NO. 2179**

**SECTION J**

**Applies to: *All Cases***

**JUDGE BARBIER  
MAGISTRATE JUDGE SHUSHAN**

**REPORT BY THE CLAIMS ADMINISTRATOR OF THE DEEPWATER  
HORIZON ECONOMIC AND PROPERTY DAMAGES SETTLEMENT  
AGREEMENT ON THE STATUS OF CLAIMS REVIEW**

<b>STATUS REPORT NO.</b>	<b>8A</b>	<b>DATE</b>	<b>June 12, 2013</b>
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**REPORT BY THE CLAIMS ADMINISTRATOR OF THE DEEPWATER HORIZON  
ECONOMIC AND PROPERTY DAMAGES SETTLEMENT AGREEMENT ON THE  
STATUS OF CLAIMS REVIEW**

**AMENDED STATUS REPORT NO. 8A, DATED JUNE 12, 2013**

The Claims Administrator of the Deepwater Horizon Economic and Property Settlement Agreement (the “Settlement Agreement”) submits this amended Report to restate the data in Table 8 of Status Report No. 8, dated April 11, 2013. The time period for this Report No. 8 is March 11, 2013, through April 10, 2013, and the only change from the original Report is new data in section A of Table 8. The Claims Administrator will provide any other information in addition to this amended Report as requested by the Court.

**I. STATUS OF THE CLAIMS REVIEW PROCESSES AND CLAIM PAYMENTS**

**A. Claim Submissions.**

**1. Registration and Claim Forms.**

The Claims Administrator opened the Settlement Program with needed functions staffed and operating on June 4, 2012, just over 30 days after the Claims Administrator’s appointment. We have received 139,097 Registration Forms and 152,461 Claim Forms since the Program opened, as shown in the Public Statistics for the Deepwater Horizon Economic and Property Damages Settlement (“Public Report”) attached as Appendix A. Claimants have begun but not fully completed and submitted 12,401 Claim Forms. The Forms are available online, in hard



copy, or at Claimant Assistance Centers located throughout the Gulf. Of the total Claim Forms submitted, 15% of claimants filed in the Seafood Program, 21% filed Individual Economic Loss (IEL) Claims, and 31% filed Business Economic Loss (BEL) Claims (including Start-up and Failed BEL Claims). *See* App. A, Table 2. DWH staff at the Claimant Assistance Centers assisted in completing 28,534 of these Claim Forms. *See* App. A, Table 3. The nineteen Claimant Assistance Centers also provide other forms, including Personal Representative Forms, Subsistence Interview Forms and Sworn Written Statements and Authorizations.

## 2. Minors, Incompetents and Deceased Claimants.

The table below describes the claims filed on behalf of minors, incompetents and deceased claimants in the Settlement Program.

<b>Table 1. Minors, Incompetents and Deceased Claimants</b>							
		<b>Minor Claimants</b>		<b>Incompetent Claimants</b>		<b>Deceased Claimants</b>	
		<b>Total</b>	<b>Change Since Last Report</b>	<b>Total</b>	<b>Change Since Last Report</b>	<b>Total</b>	<b>Change Since Last Report</b>
<b>1.</b>	<b>Claims Filed</b>	43	+5	56	+6	208	+15
<b>2.</b>	<b>Referred to GADL</b>	24	+2	16	+2	N/A	N/A
<b>3.</b>	<b>Eligible for Payment</b>	1	0	24	+5	85	+11
<b>4.</b>	<b>Approval Orders Filed</b>	0	0	18	+8	57	+14

## 3. Third Party Claims.

Court Approved Procedure Order No. 1 (as entered September 9, 2012, and amended March 11, 2013) (“CAP”) defines the process by which the Claims Administrator will receive, process and pay the claims and/or liens asserted by attorneys, creditors, governmental agencies, or other third parties against the payments to be made by the Claims Administrator to eligible claimants under the Settlement Agreement (“Third Party Claims”). The Amended CAP streamlines the enforcement documentation requirements to support a Valid Third Party Claim



and notifies the parties that the Court will adopt a Third Party Claim Dispute resolution process for attorney fee liens and Third Party Claims other than those asserted by a state or federal agency. On April 9, 2013, the Court appointed Judge Jerry Brown as the Attorney Liens Adjudicator.

We will not honor an asserted Third Party Claim unless the Third Party Claimant provides us with documentation that supports a Valid Third Party Claim. We now require a Third Party Claimant to send us enforcement documentation soon after the initial Third Party Claim assertion, and we notify the claimant about an Enforced Third Party Claim against a potential Settlement Payment as soon as we receive sufficient documentation, regardless of where the underlying Settlement Program Claim is in the review process. The claimant may, but does not have to, object to the Third Party Claim at this time. After we send an Eligibility Notice to the affected Settlement Program claimant against whom an Enforced Lien has been asserted, we send the claimant/claimant's attorney and the Third Party Claimant a Notice of Valid Third Party Claim and provide the claimant 20 days to notify us of any objection to the Third Party Claim.

We continue to process and pay Third Party Claims as reflected in Table 2 below.

<b>Table 2. Third Party Claims</b>							
	<b>Type of Third Party Claim ("TPC")</b>	<b>TPCs Asserted</b>	<b>TPCs Asserted Against Claimants With a DHCC ID</b>	<b>TPCs<sup>1</sup> Asserted Against Payable Claims</b>	<b>Valid TPCs Asserted Against Payable Claims</b>	<b>TPCs Paid/Ready for Payment (TPClmt)</b>	<b>Claims with TPCs Paid/Ready for Payment (Clmt)</b>
<b>1.</b>	<b>Attorney's Fees</b>	2,289	1,841	282	149	68	264
<b>2.</b>	<b>IRS Levies</b>	420	394	36	36	20	30
<b>3.</b>	<b>Individual Domestic</b>	250	142	67	51	40	46

<sup>1</sup> The streamlined enforcement requirements allow us to assess validity earlier in the process, although we will not know if a valid TPC is asserted against a payable claim until the Eligibility Notice goes out.

**Table 2. Third Party Claims**

	Type of Third Party Claim ("TPC")	TPCs Asserted	TPCs Asserted Against Claimants With a DHCC ID	TPCs <sup>1</sup> Asserted Against Payable Claims	Valid TPCs Asserted Against Payable Claims	TPCs Paid/Ready for Payment (TPClmt)	Claims with TPCs Paid/Ready for Payment (Clmt)
	<b>Support Obligations</b>						
4.	<b>Blanket State-Asserted Multiple Domestic Support Obligations</b>	4 states	N/A	N/A	N/A	0	0
5.	<b>3rd Party Lien/Writ of Garnishment</b>	500	224	12	6	4	3
6.	<b>Claims Prep/Accounting</b>	823	635	27	8	1	6
7.	<b>Other</b>	25	9	1	0	0	0
8.	<b>TOTAL</b>	<b>4,307</b>	<b>3,257</b>	<b>425</b>	<b>250</b>	<b>133</b>	<b>349<sup>2</sup></b>

To date, we have removed 844 lien holds due to parties releasing their claims or resolving disputes.

### **B. Claims Review.**

We completed our first reviews and issued our first outcome notices on July 15, 2012, and Payments on July 31, 2012. There are many steps involved in reviewing a claim so that it is ready for a notice.

#### **1. Identity Verification.**

The Tax Identity Number (TIN) Verification review is the first step in the DWH claims review process. The table below contains information on the total number of claimants reviewed in the Program, the outcome of those reviews, and the percentage of claimants that receive Verification Notices after review.

<sup>2</sup> If the TPC amount is in dispute, we pay the claimant the undisputed portion of his/her/its Settlement Payment. A Third Party Claim can be asserted against one or more Settlement Program Claims.



<b>Table 3. Identity Verification Review Activity.</b>					
	<b>Outcome</b>	<b>Claimants Reviewed Since Last Report</b>	<b>Monthly Percentage</b>	<b>Total Claimants Reviewed</b>	<b>Total Percentage</b>
<b>1.</b>	<b>Verified During Review</b>	3,411	70.47%	37,381	78%
<b>2.</b>	<b>SSN Notice Issued</b>	132	2.72%	2,234	4%
<b>3.</b>	<b>ITIN Notice Issued</b>	4	.01%	388	1%
<b>4.</b>	<b>EIN Notice Issued</b>	1,298	26.8%	8,022	17%
<b>5.</b>	<b>Total Reviewed</b>	4,845	100%	48,025	100%

The table below contains information on the number of TIN Verification Notices issued, how many have been cured after the claimant responded to the Notice, and the average time to cure in days.

<b>Table 4. Identity Incompleteness Activity.</b>					
	<b>Notice Type</b>	<b>Notices Issued</b>	<b>Number Cured</b>	<b>Percentage Cured</b>	<b>Average Time to Cure in Days</b>
<b>1.</b>	<b>SSN Notice</b>	2,234	1,738	78%	127
<b>2.</b>	<b>ITIN Notice</b>	388	320	83%	150
<b>3.</b>	<b>EIN Notice</b>	8,022	6,165	77%	80
<b>4.</b>	<b>Total Issued</b>	10,644	8,223	77%	119

## **2. Employer Verification Review (“EVR”).**

The EVR process ensures that all employees of the same business are treated uniformly and that each business is placed in the proper Zone. The review also walks through the intricate analysis necessary to assign the right NAICS code to a business. The EVR team has completed the EVR analysis for over 135,000 businesses and rental properties.

From March 11, 2013, through April 10, 2013, the team completed the EVR step for 14,452 businesses and properties. We identified an average of 449 new businesses and properties to review each day and completed the EVR review for an average of 466 businesses



and properties each day. We continue to review new businesses and rental properties on a first-in, first-out basis.

### 3. Exclusions.

The Exclusions review process ensures that claims and claimants excluded under the Settlement Agreement are appropriately denied. The Exclusions team guides the reviewers and the EVR team when questions arise during the exclusion determination. Table 5 below shows the number of Denial Notices issued to date for each Exclusion Reason and the team responsible:

<b>Table 5. Exclusions</b>				
	<b>Exclusion Reason</b>	<b>Team Responsible</b>	<b>Denial Notices Since Last Report</b>	<b>Total Denial Notices</b>
1.	<b>GCCF Release</b>	<b>Exclusions</b>	1,153	4,851
2.	<b>BP/MDL 2179 Defendant</b>		24	185
3.	<b>US District Court for Eastern District of LA</b>		1	22
4.	<b>Not a Member of the Economic Class</b>	<b>Claims Reviewers</b>	81	140
5.	<b>Bodily Injury</b>		0	2
6.	<b>BP Shareholder</b>		0	6
7.	<b>Transocean/Halliburton Claim</b>		0	0
8.	<b>Governmental Entity</b>	<b>Claims Reviewers/ EVR</b>	65	545
9.	<b>Oil and Gas Industry</b>		87	280
10.	<b>BP-Branded Fuel Entity</b>		4	24
11.	<b>Menhaden Claim</b>	<b>EVR</b>	1	9
12.	<b>Financial Institution</b>		27	130
13.	<b>Gaming Industry</b>		105	491
14.	<b>Insurance Industry</b>		20	94
15.	<b>Defense Contractor</b>		34	185
16.	<b>Real Estate Developer</b>		2	2
17.	<b>Trust, Fund, Financial Vehicle</b>		4	7
18.	<b>Total Denial Notices from Exclusions</b>			<b>1,608</b>



#### 4. Claimant Accounting Support Reviews.

A special team handles Claimant Accounting Support (“CAS”) reviews. CAS reimbursement is available under the Settlement Agreement for IEL, BEL, and Seafood claims. After a claim is returned from the Accountants or BrownGreer’s reviewers as payable and the Compensation Amount is known, the CAS team reviews accounting invoices and CAS Sworn Written Statements. Table 6 includes information on the number of CAS reviews we have completed to date, whether the Accounting Support documentation was complete or incomplete, and the amounts reimbursed.

<b>Table 6. Claimant Accounting Support Reviews</b>									
	Claim Type	CAS Review Result				Total CAS Reviews		CAS \$ Amount Reimbursed	
		Complete		Incomplete		Since Last Report	Total to Date	Since Last Report	Total to Date
		Since Last Report	Total to Date	Since Last Report	Total to Date				
1.	<b>BEL</b>	649	5,298	45	522	694	5,820	\$1,038,339.76	\$6,470,655.94
2.	<b>IEL</b>	162	761	4	149	166	910	\$2,986.68	\$42,366.99
3.	<b>Seafood</b>	383	2,968	35	453	418	3,421	\$78,484.96	\$992,386.77
4.	<b>TOTAL</b>	1,194	9,027	84	1,124	1,278	10,151	<b>\$1,119,811.40</b>	<b>\$7,505,409.70</b>

#### 5. QA Review.

The Quality Assurance (“QA”) process addresses three fundamental needs of the Settlement Program, which are to: (a) ensure that all claims are reviewed in accordance with the policies of the Settlement Agreement by targeting anomalous claims results through data metrics analysis; (b) provide a mechanism to monitor reviewer performance and the necessary tools to efficiently and effectively provide feedback to reviewers; and (c) identify areas of review resulting in high error rates that require retraining or refined review procedures and data validations.





We have implemented a reviewer follow-up process for all claim types. We provide daily follow-up to reviewers whose claims resulted in different results after a QA review the day before. We also have a report that identifies specific reviewers who require re-training, and reveals whether there are issues that warrant refresher training for all reviewers. Table 7 shows, by Claim Type, the number of claims identified for QA review through the database QA process, as well as how many QA reviews have been completed, how many are in progress, and how many are awaiting review.

<b>Table 7. Quality Assurance Reviews</b>							
	<b>Claim Type</b>	<b>Total Claims Needing QA To Date</b>	<b>QA Reviews Completed</b>	<b>% Completed</b>	<b>QA Reviews in Progress</b>	<b>Claims Awaiting QA</b>	<b>QA Reviews Completed Since Last Report</b>
1.	<b>Seafood</b>	17,664	13,272	75%	933	3,459	3,246
2.	<b>IEL</b>	13,216	7,521	57%	514	5,181	1,279
3.	<b>BEL</b>	6,414	4,883	76%	365	1,166	1,205
4.	<b>Start-Up BEL</b>	608	496	82%	22	90	107
5.	<b>Failed BEL</b>	1,196	1,100	92%	15	81	125
6.	<b>Coastal Real Property</b>	12,796	12,515	98%	189	92	2,038
7.	<b>Real Property Sales</b>	599	598	100%	0	1	33
8.	<b>VoO Charter</b>	7,094	7,076	100%	13	5	46
9.	<b>Subsistence</b>	5,602	1,570	28%	118	3,914	886
10.	<b>Wetlands</b>	1,814	1,735	96%	59	20	385
11.	<b>Vessel Physical Damage</b>	249	84	34%	12	153	84
12.	<b>TOTAL</b>	<b>67,252</b>	<b>50,850</b>	<b>76%</b>	<b>2,240</b>	<b>14,162</b>	<b>9,434</b>

## **6. Claim Type Review Details.**

Table 8 provides information on the number of claims filed, how many claims have been reviewed to Notice, the claims remaining to review, and how many claims were reviewed to



either a Notice or “Later Notice” to date, by claim type. Table 8 splits the claims reviewed to a “Later Notice” into separate sections distinguishing claims receiving Notices after we conduct a Reconsideration review from claims reviewed for additional materials submitted by a claimant in response to an Incompleteness Notice.

**Table 8. Throughput Analysis of Claims Filed and Notices Issued**

A. Claims Reviewed to First Notice										
	Claim Type	Status of All Claims Filed					Productivity Since Last Report on 3/11/13			
		Total Claims Filed To Date	Reviews Completed to Notice		Claims Remaining to Review		New Claims Filed	Avg Daily Claims Filed	Reviews Completed to First Notice	Avg Daily Reviews to First Notice
1.	Seafood	23,617	17,108	72%	6,509	28%	59	2	4,108	133
2.	IEL	28,962	21,258	73%	7,704	27%	1,063	34	2,669	86
3.	IPV/FV	221	198	90%	23	10%	16	<1	36	1
4.	BEL	41,848	19,954	48%	21,894	52%	5,372	173	1,660	54
5.	Start-Up BEL	2,928	1,838	63%	1,090	37%	292	9	238	8
6.	Failed BEL	2,373	1,611	68%	762	32%	145	5	166	5
7.	Coastal RP	21,860	19,434	89%	2,426	11%	2,169	70	2,427	78
8.	Wetlands RP	4,339	2,492	57%	1,847	43%	561	18	413	13
9.	RPS	1,047	874	83%	173	17%	62	2	73	2
10.	Subsistence	16,109	1,315	8%	14,794	92%	2,861	92	538	17
11.	VoO	8,192	7,969	97%	223	3%	127	4	154	5
12.	Vessel	965	749	78%	216	22%	141	5	66	2
13.	<b>TOTAL</b>	<b>152,461</b>	<b>94,800</b>	<b>62%</b>	<b>57,661</b>	<b>38%</b>	<b>12,868</b>	<b>415</b>	<b>12,548</b>	<b>405</b>
B. Claims Reviewed to Later Notice										
	Claim Type	Initial or Preliminary Incompleteness Response			Follow-Up Incompleteness Responses			Requests for Reconsideration		
		Total Responses	Claims with Later Notice	Remaining Claims	Total Responses	Claims with Later Notice	Remaining Claims <sup>2</sup>	Total Requests	Claims with Later Notice	Remaining Claims <sup>2</sup>
1.	Seafood	3,638	1,426	2,212	680	216	464	1,221	546	675
2.	IEL	10,148	5,153	4,995	2,244	955	1,289	1,284	491	793
3.	IPV/FV	69	53	16	11	3	8	10	2	8
4.	BEL	10,629	5,667	4,962	3,140	1,281	1,859	1,457	473	984
5.	Start-Up BEL	987	598	389	403	150	253	130	26	104

**Table 8. Throughput Analysis of Claims Filed and Notices Issued**

<b>6.</b>	<b>Failed BEL</b>	521	321	200	237	86	151	203	84	119
<b>7.</b>	<b>Coastal RP</b>	3,172	2,499	673	668	359	309	757	443	314
<b>8.</b>	<b>Wetlands RP</b>	155	107	48	17	11	6	262	79	183
<b>9.</b>	<b>RPS</b>	149	140	9	33	30	3	112	86	26
<b>10.</b>	<b>Subsistence</b>	311	66	245	6	0	6	20	3	17
<b>11.</b>	<b>VoO</b>	817	790	27	313	294	19	477	340	137
<b>12.</b>	<b>Vessel</b>	473	371	102	162	108	54	64	39	25
<b>13.</b>	<b>TOTAL</b>	<b>31,069</b>	<b>17,191</b>	<b>13,878</b>	<b>7,914</b>	<b>3,493</b>	<b>4,421</b>	<b>5,997</b>	<b>2,612</b>	<b>3,385</b>

### **C. Claim Payments.**

#### **1. Notices and Payments.**

We issued our first payments to claimants on July 31, 2012. Tables 4 and 5 of the Public Report attached at Appendix A provide detail on the notices and payments issued to date. As of April 10, 2013, we have issued 34,683 Eligibility Notices with Payment Offers totaling \$2,717,848,918 billion. As of that date, we also have made over \$1.9 billion in payments on 28,167 claims.

#### **2. Claimants in Bankruptcy.**

On February 20, 2013, the Claims Administrator approved the procedures for making Settlement Payments to claimants in bankruptcy. As a result, in the last month, we sent out 30 Representative of Claimant in Bankruptcy Notices to claimants who had a bankruptcy hold, had received an Eligibility Notice and had a previously accepted Release. At the time of this report, five claimants who received the Bankruptcy Notice have returned sufficient, responsive documents. Of those five claimants, four have been submitted for payment. We reached out to eight claimants who responded to the Bankruptcy Notice but did not provide all of the requested information and documents. Finally we issued an additional 30 Bankruptcy Notices to claimants



who have a bankruptcy hold, have received an Eligibility Notice and have not previously received a Bankruptcy Notice.

**D. Re-Reviews, Reconsiderations and Appeals.**

**1. Re-Review Reviews and Outcomes.**

The Claims Administrator implemented a Re-Review process beginning on January 18, 2013, that provides claimants with the opportunity to request a Re-Review of their claim within 30 days after an Eligibility or Denial Notice if they have additional documents not previously submitted to support their claim. This Re-Review leads to a Post Re-Review Notice, from which claimants may then request Reconsideration if they wish. To date, there have been 21,886 Eligibility and Denial Notices issued from which claimants can request a Re-Review. Of those, 4,796 are still within the 30 day window to seek Re-Review and have not yet done so, leaving 17,090 that have passed the window for seeking Re-Review. Of those, claimants have asked for Re-Review of 871 claims. Thus, the rate of Re-Review from all final determinations is 5.1%. The rate of Re-Review from Eligibility Notices is 3% and the rate of Re-Review from Denial Notices is 12%.

Table 9 summarizes the Re-Reviews Reviews we have completed, the number of Post-Re-Review Notices we have issued, and whether the outcome of the Re-Review review resulted in an award that was higher (↑), lower (↓), or the same (↔). The table also includes information showing whether an original Exclusion Denial was confirmed or overturned on Re-Review. The number of Notices issued is fewer than the reviews completed because there is a 36 hour lag time between when the review is completed and when the Notice is issued.



Table 9. Re-Reviews

## A. Re-Review Requests and Reviews

	Claim Type	Requests Received To Date	Reviews Completed To Date		
			Total	Completed Since Last Report	Average Weekly Reviews
1.	Seafood	205	17	17	2
2.	IEL	80	0	0	0
3.	IPV/FV	4	2	2	0
4.	BEL	247	101	101	11
5.	Start-Up BEL	11	4	4	0
6.	Failed BEL	24	23	23	3
7.	Coastal	150	59	59	7
8.	Wetlands	124	104	104	12
9.	Real Property Sales	9	8	8	1
10.	Subsistence	0	0	0	0
11.	VoO	27	18	18	2
12.	Vessel	2	0	0	0
13.	<b>TOTAL</b>	<b>883</b>	<b>336</b>	<b>336</b>	<b>37</b>

Table 9. Re-Reviews

## B. Re-Review Notices Issued

	Claim Type	Notices Issued		Outcome of Review				
		Total Issued to Date	Weekly Average	Compensation Amount for Eligible Claims			Exclusion/Denials	
				↑	↓	↔	Confirmed	Overtured
1.	Seafood	40	5	21	1	15	3	0
2.	IEL	0	0	0	0	0	0	0
3.	IPV/FV	2	0	0	0	0	2	0
4.	BEL	53	7	30	3	14	6	0
5.	Start-Up BEL	0	0	0	0	0	0	0
6.	Failed BEL	17	2	0	0	0	17	0
7.	Coastal	22	3	7	0	4	11	0
8.	Wetlands	6	1	0	0	0	6	0
9.	Real Property Sales	3	0	0	0	0	3	0
10.	Subsistence	0	0	0	0	0	0	0
11.	VoO	12	2	0	1	5	5	1
12.	Vessel	0	0	0	0	0	0	0
13.	<b>TOTAL</b>	<b>155</b>	<b>19</b>	<b>58</b>	<b>5</b>	<b>38</b>	<b>53</b>	<b>1</b>



## 2. Reconsideration Reviews and Outcomes.

To date, there have been 56,559 Eligibility, Denial and Incompleteness Denial Notices issued from which claimants can seek Reconsideration. Of those, 9,426 are still within the 30 day window to seek Reconsideration and have not yet done so, leaving 47,133 that have passed the window for seeking Reconsideration. Of those, claimants have asked for Reconsideration of 5,827 claims. Thus, the rate of Reconsideration from all final determinations is 11.9%. The rate of Reconsideration from Eligibility Notices is 6% and the rate of Reconsideration from Denial and Incompleteness Denial Notices is 25%.

Table 10 summarizes the Reconsideration Reviews we have completed, the number of Post-Reconsideration Notices we have issued, and whether the outcome of the Reconsideration review resulted in an award that was higher (↑), lower (↓), or the same (↔). The table also includes information showing whether an original Exclusion Denial was confirmed or overturned on Reconsideration. The number of Notices issued is fewer than the reviews completed because there is a 36 hour lag time between when the review is completed and when the Notice is issued.

<b>Table 10. Reconsideration</b>					
<b>B. Reconsideration Requests and Reviews</b>					
	Claim Type	Requests Received To Date	Reviews Completed To Date		
			Total	Completed Since Last Report	Average Weekly Reviews
1.	Seafood	1,194	662	54	47
2.	IEL	1,246	771	92	55
3.	IPV/FV	10	2	2	0
4.	BEL	1,390	999	178	71
5.	Start-Up BEL	125	90	36	6
6.	Failed BEL	199	163	36	12
7.	Coastal	742	586	109	42
8.	Wetlands	257	256	13	18



Table 10. Reconsideration

B. Reconsideration Requests and Reviews								
	Claim Type	Requests Received To Date	Reviews Completed To Date			Total	Completed Since Last Report	Average Weekly Reviews
9.	Real Property Sales	111				105	3	8
10.	Subsistence	19				4	1	0
11.	VoO	473				457	42	33
12.	Vessel	61				52	7	4
13.	<b>TOTAL</b>	<b>5,827</b>				<b>4,147</b>	<b>573</b>	<b>296</b>
B. Reconsideration Notices Issued								
	Claim Type	Notices Issued		Outcome of Review				
		Total Issued to Date	Weekly Average	Compensation Amount for Eligible Claims			Exclusion/Denials	
				↑	↓	↔	Confirmed	Overtured
1.	Seafood	536	16	281	42	137	74	2
2.	IEL	551	17	57	3	15	476	0
3.	IPV/FV	2	1	0	0	0	2	0
4.	BEL	472	14	172	18	68	203	11
5.	Start-Up BEL	25	1	6	1	4	13	1
6.	Failed BEL	83	3	0	0	0	83	0
7.	Coastal	429	14	53	10	185	176	5
8.	Wetlands	79	3	11	1	16	51	0
9.	Real Property Sales	90	3	0	0	2	87	1
10.	Subsistence	3	0	0	0	0	3	0
11.	VoO	412	13	57	2	103	211	39
12.	Vessel	41	0	24	1	6	10	0
13.	<b>TOTAL</b>	<b>2,723</b>	<b>84</b>	<b>661</b>	<b>78</b>	<b>536</b>	<b>1,389</b>	<b>59</b>

### 3. Appeals.

#### (a) BP Appeals.

To date, we have issued 12,177 Eligibility Notices that meet or exceed the threshold amounts rendering them eligible for BP to appeal. Of those, 303 are still within the time for BP to appeal, leaving 11,874 that have passed the window for BP to consider whether to appeal. Of



those 11,874, BP has appealed 1,020, or only 8.5%. However, out of the 1,020 claims BP has appealed, they have subsequently withdrawn 103 appeals, and another 31 have been resolved for the same amount of the Eligibility Notice. Thus, out of the 1,020 claims BP has appealed, 134 have either been withdrawn or resolved, confirming that the outcome of the review was correct. If we remove those 134 from the 1,020 BP has appealed to arrive at a more realistic “rate of disagreement” BP has with our results, that leaves 886 claims out of 11,874, or a 7.5% rate of disagreement.

Table 11 provides summary information on the status of BP’s appeals.

<b>Table 11. Status of BP Appeals</b>				
<b>A. Appeal Filing/Resolution</b>				
	<b>Status</b>	<b>As of 4/11/13</b>	<b>Since Last Report</b>	<b>Total</b>
<b>1.</b>	<b>BP Appeals Filed</b>	<b>956</b>	64	<b>1,020</b>
<b>2.</b>	<b>Appeals Resolved</b>	<b>333</b>	16	<b>349</b>
(a)	<b>Withdrawn</b>	97	6	103
(b)	<b>Panel Decided</b>	28	12	40
(c)	<b>Settled by Parties</b>	170	1	171
(d)	<b>Administratively Closed</b>	8	-1	7
(e)	<b>Closed for Reconsideration Review</b>	30	-2	28
<b>B. Pending Appeals</b>				
<b>3.</b>	<b>In Pre-Panel Baseball Process</b>		604	
<b>4.</b>	<b>Currently Before Panel</b>		67	
<b>5.</b>	<b>TOTAL PENDING</b>		<b>671</b>	

**(b) Claimant Appeals.**

Before a claimant may appeal, he must seek Reconsideration and receive a Post-Reconsideration Notice. To date, we have issued 2,723 Post-Reconsideration Notices. Of those, 374 are still within the time for the claimant to appeal, leaving 2,349 that have passed the window for the claimant to consider whether to appeal. Of those 2,349, claimants have appealed 384, or 16.3%. Of the 384 Claimant Appeals, 241 are appeals of Post-Reconsideration Denial Notices and 143 are appeals of Post-Reconsideration Eligibility Notices.





Table 12 provides summary information on the status of Claimant Appeals:

<b>Table 12. Status of Claimant Appeals</b>				
<b>A. Appeal Filing/Resolution</b>				
	<b>Status</b>	<b>As of 4/11/13</b>	<b>Since Last Report</b>	<b>Total</b>
<b>1.</b>	<b>Claimant Appeals Filed</b>	<b>371</b>	13	<b>384</b>
<b>2.</b>	<b>Appeals Resolved</b>	<b>101</b>	10	<b>111</b>
<b>(a)</b>	Withdrawn	15	0	15
<b>(b)</b>	Panel Decided	62	4	66
<b>(c)</b>	Settled by Parties	20	6	26
<b>(d)</b>	Administratively Closed	4	0	4
<b>B. Pending Appeals</b>				
<b>3.</b>	<b>In Pre-Panel Baseball Process</b>		128	
<b>4.</b>	<b>In Pre-Panel Non-Baseball Process</b>		132	
<b>5.</b>	<b>Currently Before Panel</b>		13	
<b>6.</b>	<b>TOTAL PENDING</b>		<b>273</b>	

**(c) Resolved Appeals.**

As reported in the tables above, 460 Claimant and BP Appeals have been resolved. Table 13 provides a summary of these resolved appeals, by Claim Type.

**Table 13. Outcome After Appeal**

	Claim Type	Appeals Settled or Decided by Panel					Withdrawn	Admin. Closed	Closed Because Claimant Asked For Reconsideration	Total
		Award Amount after Appeal, Compared to Original Notice								
		Higher	Lower	Same	Denial Upheld	Denial Overturned				
1.	Seafood	6	64	3	4	0	36	3	8	124
2.	BEL	6	71	2	11	3	51	5	20	169
3.	Wetlands Real Property	0	1	2	1	0	1	0	0	5
4.	Coastal Real Property	0	2	3	3	0	4	0	0	12
5.	Real Property Sales	0	1	3	6	0	2	1	0	13
6.	VoO Charter Payment	15	31	15	12	7	17	2	0	99
7.	IEL	4	5	1	10	2	3	0	0	25
8.	VPD	4	3	2	0	0	4	0	0	13
9.	<b>Total</b>	<b>35</b>	<b>178</b>	<b>31</b>	<b>47</b>	<b>12</b>	<b>118</b>	<b>11</b>	<b>28</b>	<b>460</b>

## II. CLAIMANT OUTREACH EFFORTS

We have continued our Claimant Outreach efforts since the previous Court Status Report:

### A. Law Firm Contacts.

The Law Firm Contacts team increased their outreach efforts to include calls related to Identity Verification Incompleteness Notices, in addition to continued outreach efforts across several damage categories related to incompleteness reasons. Many calls were held in collaboration with the accountants to efficiently address documentation requirements and resolve Program questions.



### **B. Communications Center (CCC).**

The CCC continued outreach efforts established in recent months. These continuing outreach campaigns included calls to claimants who emailed the Program with questions or status inquiries, incomplete claims, and Identity Verification issues. The CCC expanded outreach efforts to also include calls to claimants with incomplete payment documentation. The efforts of this outreach resulted in a total of over \$14,200,000 payments to be issued that were previously incomplete for certain payment documents.

### **C. Claimant Assistance Centers (CACs).**

The Claimant Outreach Program (COP) continues at the CACs. Between March 11, 2013, and April 11, 2013, the COP Team completed over 2,700 calls to claimants. The CACs continued to reach out to claimants with incomplete claims across all damage categories. In addition to these outreach efforts, the team called claimants who filed claims of all claim types in a CAC.

### **D. Summary of Outreach Calls.**

The table below summarizes some of the Claimant Outreach Program efforts:

<b>Table 14. Outreach Call Volume</b> (As of 4/11/13)							
<b>Row</b>	<b>Location</b>	<b>Calls Made</b>	<b>Incomplete Claims Affected</b>	<b>Claims With New Docs After Call</b>	<b>% of Claims With New Docs After Call</b>	<b>Claimants Visiting CAC After Call</b>	<b>% of Claimants Visiting CAC</b>
<b>1.</b>	BrownGreer	30,216	15,064	10,677	71%	5,179	34%
<b>2.</b>	Garden City Group	35,723	5,814	3,997	69%	368	6%
<b>3.</b>	P & N	7,649	2,395	1,746	73%	68	3%
<b>4.</b>	PWC	672	278	242	87%	8	3%
<b>5.</b>	<b>Totals</b>	<b>74,260</b>	<b>23,551</b>	<b>16,662</b>	<b>71%</b>	<b>5,623</b>	<b>24%</b>



### III. POLICY KEEPER

Under the terms of the Deepwater Horizon Economic and Property Damage Settlement Agreement (“Settlement Agreement”), the Claims Administrator is charged with the duty to “faithfully implement and administer the Settlement, according to its terms and procedures, for the benefit of the Economic Class, consistent with this Agreement, and/or as agreed to by the Parties and/or as approved by the Court.” (Section 4.3.1 of the Settlement Agreement). Further, the Claims Administrator is charged with the responsibility to “work with Economic Class Members . . . to facilitate . . . assembly and submission of Claims Forms, including all supporting documentation necessary to process Claims Forms under the applicable Claims Processes . . . [and to] provide Economic Class Members with assistance, information, opportunities and notice so that the Economic Class Member has the best opportunity to be determined eligible for and receive the Settlement Payment(s) to which the Economic Class Member is entitled under the terms of this Agreement.” (Section 4.3.7 of the Settlement Agreement). In accordance with these provisions, the Claims Administrator has adopted numerous policies affecting the administrator of claims under the Settlement Program.

On March 28, 2013, we introduced a new feature called Policy Keeper to keep track of the current policies and provide an effective and efficient approach to creating new policies. This application replaced the prior method of email and memo writing to develop and track policies. The web-based tool allows the Claims Administrator, Parties and Vendors to review and comment on Settlement Program policies developed to assist in the claims review process. Policy Keeper includes email notifications that alert all necessary parties to a policy’s creation and any requested action needed to finalize the policy. Along with the new development process



for policies, we added the existing policies to Policy Keeper and included any “legislative” history.

In addition to adding this new feature to the Portals for the Claims Administrator, Parties and Vendors, we added a Policy Keeper link to the DWH Portal and public website that allows users to search for policies created for the Settlement Program. This public Policy Keeper link lets the public search for the 64 policies that the Parties agreed to promulgate publicly. The public can review the policies, how they were decided and what Claim Types the policies affect. The application also provides the ability to export the policies into an Excel report and print a PDF of any Final Policy.

#### **IV. CONCLUSION**

We offer this Report to ensure that the Court is informed of the status of the Program to date. If the Court would find additional information helpful, we stand ready to provide it at the Court’s convenience.

/s/ Patrick A. Juneau  
PATRICK A. JUNEAU  
CLAIMS ADMINISTRATOR



**CERTIFICATE OF SERVICE**

I hereby certify that the above and foregoing pleading has been served on All Counsel by electronically uploading the same to Lexis Nexis File & Serve in accordance with Pretrial Order No. 12, and that the foregoing was electronically filed with the Clerk of Court of the United States District Court for the Eastern District of Louisiana by using the CM/EDF System, which will send a notice of electronic filing in accordance with the procedures established in MDL 2179, on this 12<sup>th</sup> day of June, 2013.

/s/ Patrick A. Juneau  
Claims Administrator

Claims Administrator Patrick Juneau has announced that the Settlement Program began issuing payments on July 31, 2012, and has been issuing outcome Notices since July 15, 2012. The Program will issue Notices on a rolling basis as we complete reviews, and they will include Eligibility Notices, Incompleteness Notices, and Denial Notices. Each Notice will provide information explaining the outcome. We will post Notices on the secure DWH Portal for any law firm or unrepresented claimant who uses the DWH Portal. We will notify firms and unrepresented claimants by email at the end of each day if we have posted a Notice that day. Firms and unrepresented claimants may then log onto the DWH Portal to see a copy of the Notice(s). Law Firms or claimants who do not use the DWH Portal will receive Notices in the mail. Claimants who receive an Eligibility Notice and qualify for a payment will receive that payment after all appeal periods have passed, if applicable, and the claimant has submitted all necessary paperwork, including a fully executed Release and Covenant Not to Sue.

Table 1	Filings by State of Residence								
	State	Registration Forms				Claims			
		Form Begun	Form Submitted	Total	%	Form Begun	Form Submitted	Total	%
1.	Alabama	801	25,317	26,118	18%	1,606	28,207	29,813	18%
2.	Florida	1,946	48,107	50,053	34%	5,052	47,847	52,899	32%
3.	Louisiana	1,600	33,415	35,015	24%	2,686	41,587	44,273	27%
4.	Mississippi	548	16,920	17,468	12%	968	17,986	18,954	11%
5.	Texas	245	7,802	8,047	6%	717	6,723	7,440	5%
6.	Other	1,056	7,536	8,592	6%	1,372	10,111	11,483	7%
7.	<b>Total</b>	<b>6,196</b>	<b>139,097</b>	<b>145,293</b>	<b>100%</b>	<b>12,401</b>	<b>152,461</b>	<b>164,862</b>	<b>100%</b>

Chart 1: Filings by State of Residence

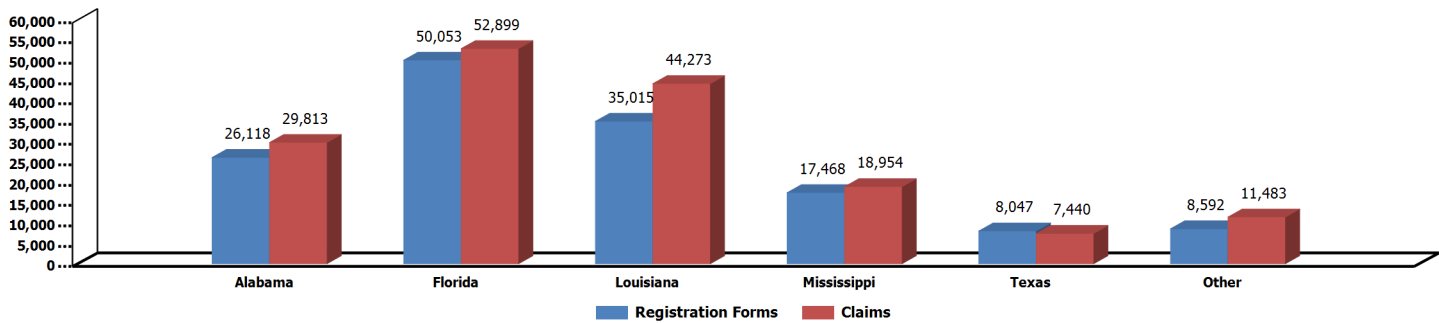


Table 2	Number of Claims by Claim Type					
	Claim Type	Claims				Unique Claimants with Form Submitted
		Form Begun	Form Submitted	Total	%	
1.	Seafood Compensation Program	417	23,617	24,034	15%	10,162
2.	Individual Economic Loss	6,298	28,962	35,260	21%	28,948
3.	Individual Periodic Vendor or Festival Vendor Economic Loss	138	221	359	<1%	221
4.	Business Economic Loss	2,755	41,848	44,603	27%	37,499
5.	Start-Up Business Economic Loss	279	2,928	3,207	2%	2,712
6.	Failed Business Economic Loss	260	2,373	2,633	2%	2,243
7.	Coastal Real Property	897	21,860	22,757	14%	15,372
8.	Wetlands Real Property	273	4,339	4,612	3%	1,597
9.	Real Property Sales	192	1,047	1,239	1%	846
10.	Subsistence	725	16,109	16,834	10%	16,105
11.	VoO Charter Payment	100	8,192	8,292	5%	5,867
12.	Vessel Physical Damage	67	965	1,032	1%	846
13.	<b>Total</b>	<b>12,401</b>	<b>152,461</b>	<b>164,862</b>	<b>100%</b>	<b>111,459</b>

Chart 2: Number of Claims by Claim Type

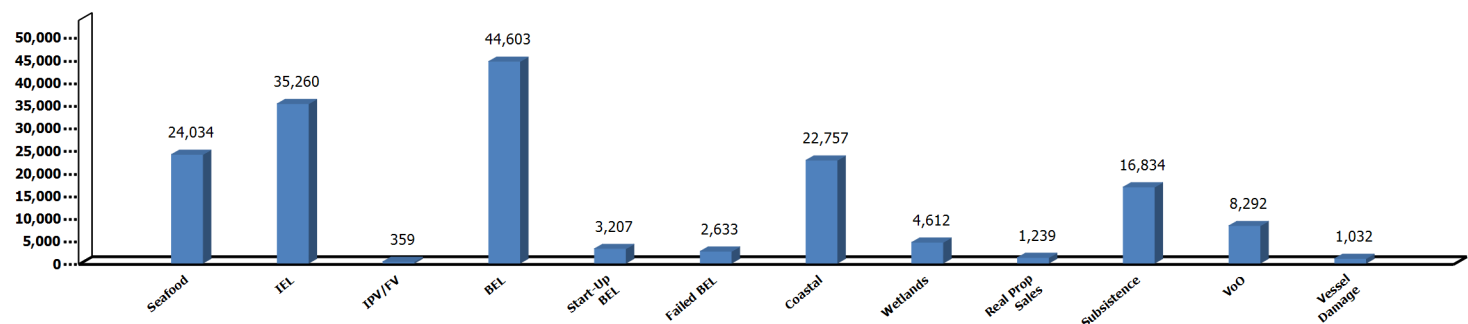


Table 3	Filings by Claimant Assistance Center								
	Claimant Assistance Center	Registration Forms				Claims			
		Form Begun	Form Submitted	Total	%	Form Begun	Form Submitted	Total	%
1.	Apalachicola, FL	27	1,200	1,227	5%	35	1,670	1,705	6%
2.	Bay St. Louis , MS	9	513	522	2%	35	610	645	2%
3.	Bayou La Batre, AL	20	773	793	3%	50	879	929	3%
4.	Biloxi , MS	38	1,745	1,783	7%	64	1,977	2,041	7%
5.	Bridge City, TX	3	315	318	1%	17	553	570	2%
6.	Clearwater, FL	72	2,032	2,104	9%	368	1,518	1,886	6%
7.	Cut Off, LA	13	418	431	2%	26	556	582	2%
8.	Fort Walton Beach , FL	12	1,165	1,177	5%	61	1,561	1,622	6%
9.	Grand Isle, LA	5	138	143	1%	6	210	216	1%
10.	Gretna/Harvey, LA	37	1,891	1,928	8%	57	1,922	1,979	7%
11.	Gulf Shores, AL	19	1,738	1,757	7%	60	2,305	2,365	8%
12.	Houma, LA	24	776	800	3%	42	1,005	1,047	4%
13.	Lafitte, LA	4	281	285	1%	12	377	389	1%
14.	Mobile, AL	60	4,879	4,939	21%	182	5,277	5,459	19%
15.	Naples, FL	24	1,168	1,192	5%	40	1,061	1,101	4%
16.	New Orleans – CBD BG, LA	15	329	344	1%	23	344	367	1%
17.	New Orleans East, LA	45	1,833	1,878	8%	104	2,126	2,230	8%
18.	Panama City Beach, FL	21	1,225	1,246	5%	91	1,831	1,922	7%
19.	Pensacola, FL	25	1,168	1,193	5%	68	1,411	1,479	5%
20.	<b>Total</b>	<b>473</b>	<b>23,587</b>	<b>24,060</b>	<b>100%</b>	<b>1,341</b>	<b>27,193</b>	<b>28,534</b>	<b>100%</b>

Chart 3: Number of Claims by Claimant Assistance Center

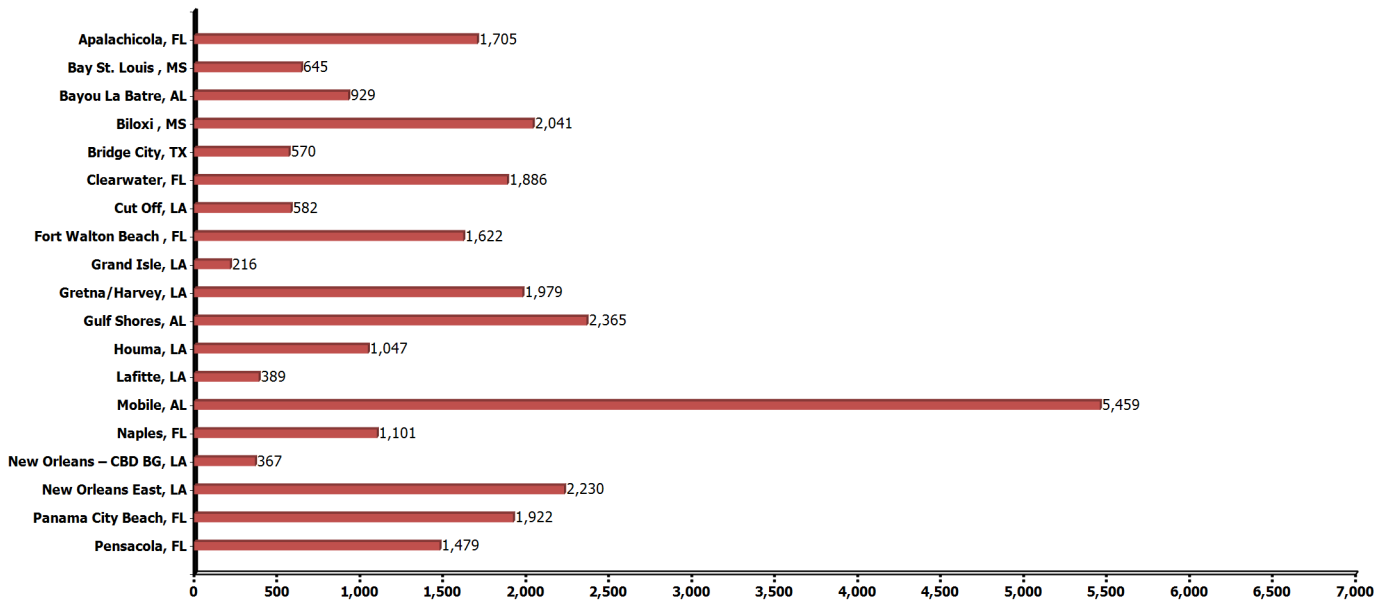




Table 4	Claim Type	Notices Issued											Total Claims Issued Notice
		Eligible - Payable	Eligible - No Payment	Incomplete	Denial					Opt-Outs	Withdrawn	Closed	
					Exclusion Denials	Prior GCCF Release	Causation Denials	Other Denials	Incomplete Denials				
1.	Seafood Compensation Program	4,609	1,988	5,042	34	1,892	0	164	555	1,153	1,432	278	17,147
2.	Individual Economic Loss	1,121	324	11,018	1,648	1,633	25	403	3,908	508	197	784	21,569
3.	Individual Periodic Vendor or Festival Vendor Economic Loss	2	0	71	3	19	0	30	54	2	26	9	216
4.	Business Economic Loss	6,157	124	8,540	304	392	872	20	2,265	548	280	521	20,023
5.	Start-Up Business Economic Loss	224	10	971	19	29	21	21	361	64	46	75	1,841
6.	Failed Business Economic Loss	6	4	572	30	77	136	341	286	60	33	75	1,620
7.	Coastal Real Property	13,662	16	2,330	4	421	0	1,496	525	140	126	786	19,506
8.	Wetlands Real Property	1,213	0	73	6	41	0	756	7	9	119	276	2,500
9.	Real Property Sales	354	0	30	4	32	13	343	28	3	16	56	879
10.	Subsistence	287	0	599	9	265	0	7	0	116	21	21	1,325
11.	VoO Charter Payment	6,677	12	158	12	0	0	519	501	28	41	38	7,986
12.	Vessel Physical Damage	371	6	208	4	0	0	36	72	12	9	34	752
13.	<b>Total</b>	<b>34,683</b>	<b>2,484</b>	<b>29,612</b>	<b>2,077</b>	<b>4,801</b>	<b>1,067</b>	<b>4,136</b>	<b>8,562</b>	<b>2,643</b>	<b>2,346</b>	<b>2,953</b>	<b>95,364</b>

Table 5	Claim Type	Payment Information					
		Eligibility Notices Issued with Payment Offer		Accepted Offers		Payments Made	
		Number	Amount	Number	Amount	Number	Amount
1.	Seafood Compensation Program	4,609	\$786,815,283	4,223	\$728,318,584	3,796	\$738,074,044
2.	Individual Economic Loss	1,121	\$11,497,900	926	\$10,236,420	831	\$8,974,321
3.	Individual Periodic Vendor or Festival Vendor Economic Loss	2	\$5,178	2	\$5,178	1	\$3,200
4.	Business Economic Loss	6,157	\$1,432,800,165	5,369	\$1,246,815,357	4,430	\$735,352,545
5.	Start-Up Business Economic Loss	224	\$44,168,073	187	\$32,551,405	158	\$25,908,237
6.	Failed Business Economic Loss	6	\$693,733	3	\$589,357	3	\$589,357
7.	Coastal Real Property	13,662	\$85,530,132	12,171	\$76,964,454	10,932	\$66,190,353
8.	Wetlands Real Property	1,213	\$55,007,203	1,095	\$52,495,576	990	\$50,924,855
9.	Real Property Sales	354	\$20,745,749	341	\$20,175,106	327	\$19,995,286
10.	Subsistence	287	\$2,534,260	230	\$2,041,730	188	\$1,624,972
11.	VoO Charter Payment	6,677	\$270,229,225	6,456	\$262,706,268	6,208	\$254,004,173
12.	Vessel Physical Damage	371	\$7,822,017	342	\$6,417,597	303	\$4,132,316
13.	<b>Total</b>	<b>34,683</b>	<b>\$2,717,848,918</b>	<b>31,345</b>	<b>\$2,439,317,031</b>	<b>28,167</b>	<b>\$1,905,773,657</b>

**Legend:**

1. Form Begun - Includes electronically filed registration or claim forms for the period of time between the moment a claimant or his attorney has initiated the submission of a form and moment they complete that filing by submitting the electronic signature. This definition also includes hard copy registration or claim forms where the DWH Intake Team is in the process of linking the scanned images and has not yet completed the data entry on that form.
2. Form Submitted - Includes electronically filed registration or claim forms after the claimant or his attorney completes the electronic signature and clicks the submit button. This definition also includes hard copy registration or claim forms where the DWH Intake Team has completed both the linking of scanned images and the data entry on that form.
3. Unique Claimants with Form Submitted - Counts the unique number of claimants with at least one Claim Form Submitted for each Claim Type. Because claimants may file claims for more than one Claim Type, the sum of all Claim Types will not equal the count of total unique claimants.
4. Notices Issued - The count of Notices Issued in Table 4 counts each unique claim issued a Notice only once. For claims issued multiple Notices, this report uses the following hierarchy when counting the claim: (1) Eligible – Payable; (2) Eligible – No Payment; (3) Denial; (4) Incomplete; (5) Withdrawn; (6) Closed.
5. Payment Information - The timing of payment can be affected by a number of factors. Even after the DHECC receives a Release, delay in receipt of a W-9, or in receipt of the Attorney Fee Acknowledgment Form can delay payment. In addition, any alterations or omissions on the Release Form, or an assertion of a third-party lien against an award amount, can delay payment. As a result, this report will show a higher number of Accepted Offers than Amounts Paid.
6. Note: The Claims Administrator continually monitors the status of all claim filings. Through this process, the Claims Administrator may find duplicate claims from the same claimant. In such cases, the Claims Administrator will close the duplicate claim and only process the remaining valid claim. This report excludes duplicate claims from all counts of claims filed.