



**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**

STATUS REPORT NO.

9

DATE

May 13, 2013



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STATUS OF CLAIMS REVIEW**

STATUS REPORT NO. 9, DATED MAY 13, 2013

The Claims Administrator of the Deepwater Horizon Economic and Property Settlement Agreement (the “Settlement Agreement”) submits this Report to inform the Court of the current status of the implementation of the Settlement Agreement. The Claims Administrator will provide any other information in addition to this 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 147,920 Registration Forms and 164,758 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 11,866 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, 14% of claimants filed in the Seafood Program, 20% filed Individual Economic Loss



(IEL) Claims, and 32% 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 30,119 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.

Table 1. Minors, Incompetents and Deceased Claimants							
		Minor Claimants		Incompetent Claimants		Deceased Claimants	
		Total	Change Since Last Report	Total	Change Since Last Report	Total	Change Since Last Report
1.	Claims Filed	45	+2	61	+5	224	+16
2.	Referred to GADL	30	+6	16	0	N/A	N/A
3.	Eligible for Payment	6	+5	26	+2	93	+8
4.	Approval Orders Filed	3	+3	21	+3	73	+16

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 provides 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. On April 15, 2013, the Court approved the Rules Governing the Third Party Claims Dispute Resolution Process as to Attorney Fee Liens. We issued Alerts about the Amended Court Approved Procedure, Judge Brown's appointment and the Court's approval of the Attorney Fee Lien Dispute Resolution Rules on April 22, 2013.

We now require a Third Party Claimant to send us enforcement documentation soon after the initial Third Party Claim assertion. We notify the affected Settlement Program 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 also updated the Third Party Claims Frequently Asked Questions on the DWH Settlement website to explain all of these changes.

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

Table 2. Third Party Claims							
	Type of Third Party Claim ("TPC")	TPCs Asserted	TPCs Asserted Against Claimants With a DHCC ID	TPCs¹ Asserted Against Payable Claims	Valid TPCs Asserted Against Payable Claims	TPCs Paid/Ready for Payment (TPClmt)	Claims with TPCs Paid/Ready for Payment (Clmt)
1.	Attorney's Fees	2,340	1,882	325	174	119	279
2.	IRS Levies	448	422	39	40	29	33
3.	Individual Domestic	257	148	75	59	46	53

¹ 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							
	Support Obligations						
4.	Blanket State-Asserted Multiple Domestic Support Obligations	4 states	N/A	N/A	N/A	0	0
5.	3rd Party Lien/Writ of Garnishment	542	233	13	7	4	3
6.	Claims Preparation/Accounting	831	643	29	10	1	6
7.	Other	25	21	1	0	0	0
	TOTAL	4,443	3,349	482	290	199	374²

To date, we have removed 1,392 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.

² 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.



Table 3. Identity Verification Review Activity.					
	Outcome	Claimants Reviewed Since Last Report	Monthly Percentage	Total Claimants Reviewed	Total Percentage
1.	Verified During Review	4,017	84.4%	41,398	78.4%
2.	SSN Notice Issued	73	1.5%	2,307	4.4%
3.	ITIN Notice Issued	10	.2%	398	.8%
4.	EIN Notice Issued	661	13.9%	8,683	16.4%
5.	Total Reviewed	4,761	100%	52,786	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.

Table 4. Identity Incompleteness Activity.					
	Notice Type	Notices Issued	Number Cured	Percentage Cured	Average Time to Cure in Days
1.	SSN Notice	2,307	1,846	80%	137
2.	ITIN Notice	398	334	84%	160
3.	EIN Notice	8,683	7,467	86%	80
4.	Total Issued	11,388	9,647	85%	125

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 150,000 businesses and rental properties.

From April 11, 2013, through May 10, 2013, the team completed the EVR step for 13,072 businesses and properties. We identified an average of 429 new businesses and properties to review each day and completed the EVR review for an average of 436 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:

Table 5. Exclusions				
	Exclusion Reason	Team Responsible	Denial Notices Since Last Report	Total Denial Notices
1.	GCCF Release	Exclusions	1,313	6,164
2.	BP/MDL 2179 Defendant		13	198
3.	US District Court for Eastern District of LA		0	22
4.	Not a Member of the Economic Class	Claims Reviewers	14	154
5.	Bodily Injury		0	2
6.	BP Shareholder		0	6
7.	Transocean/Halliburton Claim		0	0
8.	Governmental Entity	Claims Reviewers/ EVR	66	611
9.	Oil and Gas Industry		73	353
10.	BP-Branded Fuel Entity		3	27
11.	Menhaden Claim	EVR	1	10
12.	Financial Institution		30	160
13.	Gaming Industry		58	549
14.	Insurance Industry		22	116
15.	Defense Contractor		62	247
16.	Real Estate Developer		37	39
17.	Trust, Fund, Financial Vehicle		5	12
18.	Total Denial Notices from Exclusions			1,697



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.

Table 6. Claimant Accounting Support Reviews									
	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.	BEL	729	6027	68	590	797	6617	\$1,760,236.88	\$8,230,892.82
2.	IEL	43	804	19	168	62	972	\$9,530.93	\$51,897.92
3.	Seafood	214	3182	28	481	242	3663	\$144,823.59	\$1,137,210.36
4.	TOTAL	986	10,013	115	1,239	1,101	11,252	\$1,914,591.40	\$9,420,001.10

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.

Table 7. Quality Assurance Reviews							
	Claim Type	Total Claims Needing QA To Date	QA Reviews Completed	% Completed	QA Reviews in Progress	Claims Awaiting QA	QA Reviews Completed Since Last Report
1.	Seafood	19,574	17,554	90%	1,301	719	4,282
2.	IEL	15,432	9,571	62%	726	5,135	2,050
3.	BEL	8,783	6,778	77%	406	1,599	1,895
4.	Start-Up BEL	830	624	75%	32	174	128
5.	Failed BEL	1,330	1,201	90%	20	109	101
6.	Coastal Real Property	14,704	14,504	99%	120	80	1,989
7.	Real Property Sales	626	622	99%	0	4	24
8.	VoO Charter	7,241	7,227	100%	10	4	151
9.	Subsistence	9,271	2,322	25%	155	6,794	752
10.	Wetlands	2,262	2,057	91%	93	112	322
11.	Vessel Physical Damage	507	313	62%	9	185	229
12.	TOTAL	80,560	62,773	78%	2,872	14,915	11,923

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 4/11/13			
		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	23,862	19,998	84%	3,864	16%	245	8	2,890	96
2.	IEL	29,946	23,857	80%	6,089	20%	984	33	2,599	87
3.	IPV/FV	232	212	91%	20	9%	11	0	14	0
4.	BEL	46,424	21,895	47%	24,529	53%	4,576	153	1,941	65
5.	Start-Up BEL	3,226	1,986	62%	1,240	38%	298	10	148	5
6.	Failed BEL	2,519	1,777	71%	742	29%	146	5	166	6
7.	Coastal RP	23,841	22,031	92%	1,810	8%	1,981	66	2,597	87
8.	Wetlands RP	5,234	2,855	55%	2,379	45%	895	30	363	12
9.	RPS	1,142	951	83%	191	17%	95	3	77	3
10.	Subsistence	18,947	2,605	14%	16,342	86%	2,838	95	1,290	43
11.	VoO	8,292	8,111	98%	181	2%	100	3	142	5
12.	Vessel	1093	860	79%	233	21%	128	4	111	4
13.	TOTAL	164,758	107,138	65%	57,620	35%	12,297	410	12,338	411
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 ²	Total Requests	Claims with Later Notice	Remaining Claims ²
1.	Seafood	4,409	2,402	2,007	961	421	540	1,384	624	760
2.	IEL	11,297	6,353	4,944	2,698	1,190	1,508	1,513	582	931
3.	IPV/FV	74	66	8	22	9	13	15	2	13
4.	BEL	11,276	6,794	4,482	3,637	1,844	1,793	1,756	587	1,169
5.	Start-Up BEL	1,066	723	343	497	209	288	171	36	135
6.	Failed BEL	568	366	202	279	141	138	237	92	145
7.	Coastal RP	3,529	2,964	565	818	577	241	907	587	320

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

8.	Wetlands RP	175	128	47	21	15	6	266	101	165
9.	RPS	157	148	9	36	34	2	121	88	33
10.	Subsistence	613	112	501	25	1	24	29	5	24
11.	VoO	831	810	21	333	305	28	536	372	164
12.	Vessel	508	438	70	183	135	48	79	42	37
13.	TOTAL	34,503	21,304	13,199	9,510	4,881	4,629	7,014	3,118	3,896

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 May 10, 2013, we have issued 40,459 Eligibility Notices with Payment Offers totaling \$3,224,375,803 billion. As of that date, we also have made over \$2.14 billion in payments on 31,980 claims.

2. Claimants in Bankruptcy.

Since the Claims Administrator approved the procedures for making Settlement Payments to claimants in bankruptcy on February 20, 2013, we have issued Bankruptcy Notices to approximately 60 claimants who had previously received Eligibility Notices. We continue to review these claim files to determine if the claimants submitted the documents necessary to remove the bankruptcy hold so the claims can be paid. For claimants who have not submitted all of the requested documentation, we continue to reach out to those claimants to let them know what needs to be submitted to so they can receive payment on their claims.

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 30,727 Eligibility and Denial Notices issued from which claimants can seek Re-Review. Of those, 5,017 are still within the 30 day window to seek Re-Review and have not yet done so, leaving 25,710 that have passed the window for seeking Re-Review. Of those, claimants have asked for Re-Review of 1,326 claims. Thus, the rate of Re-Review from all final determinations is 5.2%. The rate of Re-Review from Eligibility Notices is 4% and the rate of Re-Review from Denial Notices is 10%.

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 (\uparrow), lower (\downarrow), or the same (\leftrightarrow). 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	330	111	24	6
2.	IEL	116	15	2	1
3.	IPV/FV	7	0	0	0
4.	BEL	381	130	4	7
5.	Start-Up BEL	16	5	0	0
6.	Failed BEL	38	34	0	2
7.	Coastal	242	182	16	10
8.	Wetlands	137	113	0	7
9.	Real Property Sales	10	10	0	1
10.	Subsistence	11	0	0	0
11.	VoO	34	34	2	2
12.	Vessel	4	1	0	1
13.	TOTAL	1,326	635	48	37

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	101	5	53	4	38	5	1
2.	IEL	4	0	0	0	0	4	0
3.	IPV/FV	6	0	0	0	0	6	0
4.	BEL	130	7	56	8	18	45	2
5.	Start-Up BEL	4	0	3	0	0	1	0
6.	Failed BEL	25	1	0	0	0	25	0
7.	Coastal	88	5	21	1	16	51	1
8.	Wetlands	21	1	2	0	0	20	1
9.	Real Property Sales	4	0	0	1	0	3	0
10.	Subsistence	0	0	0	0	0	0	0
11.	VoO	30	2	7	5	12	8	2
12.	Vessel	1	1	0	0	0	1	0
13.	TOTAL	414	22	142	19	84	169	7



2. Reconsideration Reviews and Outcomes.

To date, there have been 68,114 Eligibility, Denial and Incompleteness Denial Notices issued from which claimants can seek Reconsideration. Of those, 7,989 are still within the 30 day window to seek Reconsideration and have not yet done so, leaving 60,125 that have passed the window for seeking Reconsideration. Of those, claimants have asked for Reconsideration of 6,972 claims. Thus, the rate of Reconsideration from all final determinations is 11.6%. The rate of Reconsideration from Eligibility Notices is 6% and the rate of Reconsideration from Denial and Incompleteness Denial Notices is 22%.

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.

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
1.	Seafood	1,377	846	56	60
2.	IEL	1,502	1014	76	72
3.	IPV/FV	15	4	0	0
4.	BEL	1,744	1337	96	96
5.	Start-Up BEL	170	139	13	10
6.	Failed BEL	232	196	7	14
7.	Coastal	902	789	51	56
8.	Wetlands	267	262	17	19

**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	120				117	0	8
10.	Subsistence	28				10	0	1
11.	VoO	537				507	18	36
12.	Vessel	78				63	9	5
13.	TOTAL	6,972				5,284	343	377
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	628	16	333	44	162	86	3
2.	IEL	687	17	97	6	29	559	1
3.	IPV/FV	4	0	0	0	0	4	0
4.	BEL	623	16	213	19	107	262	23
5.	Start-Up BEL	36	1	7	0	5	23	1
6.	Failed BEL	92	2	0	0	0	92	0
7.	Coastal	595	16	62	12	212	299	10
8.	Wetlands	104	3	11	1	17	75	0
9.	Real Property Sales	94	2	0	0	2	90	2
10.	Subsistence	5	0	0	0	0	5	0
11.	VoO	462	12	58	2	109	252	41
12.	Vessel	46	1	25	1	7	13	0
13.	TOTAL	3,376	87	806	85	650	1,760	81

3. Appeals.

(a) BP Appeals.

To date, we have issued 13,311 Eligibility Notices that meet or exceed the threshold amounts rendering them eligible for BP to appeal. Of those, 430 are still within the time for BP to appeal, leaving 12,881 that have passed the window for BP to consider whether to appeal. Of



those 12,881, BP has appealed 1,377, or only 10.6%. However, out of the 1,377 claims BP has appealed, they have subsequently withdrawn 142 appeals, and another 34 have been resolved for the same amount of the Eligibility Notice. Thus, out of the 1,377 claims BP has appealed, 176 have either been withdrawn or resolved, confirming that the outcome of the review was correct. If we remove those 176 from the 1,377 BP has appealed to arrive at a more realistic “rate of disagreement” BP has with our results, that leaves 1,201 claims out of 12,881, or a 9.3% rate of disagreement.

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

Table 11. Status of BP Appeals				
A. Appeal Filing/Resolution				
	Status	As of 4/11/13	Since Last Report	Total
1.	BP Appeals Filed	1,020	357	1,377
2.	Appeals Resolved	349	224	575
(a)	Withdrawn	103	39	142
(b)	Panel Decided	40	117	157
(c)	Settled by Parties	171	39	210
(d)	Remanded by Panel	0	19	19
(e)	Administratively Closed	7	0	7
(f)	Closed for Reconsideration Review	28	12	40
B. Pending Appeals				
3.	In Pre-Panel Baseball Process		549	
4.	Currently Before Panel		252	
5.	TOTAL PENDING		801	

(b) Claimant Appeals.

Before a claimant may appeal, he must seek Reconsideration and receive a Post-Reconsideration Notice. To date, we have issued 3,376 Post-Reconsideration Notices. Of those, 745 are still within the time for the claimant to appeal, leaving 2,631 that have passed the window for the claimant to consider whether to appeal. Of those 2,631, claimants have appealed



431, or 16.3%. Of the 431 Claimant Appeals, 264 are appeals of Post-Reconsideration Denial Notices and 166 are appeals of Post-Reconsideration Eligibility Notices.

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

Table 12. Status of Claimant Appeals				
A. Appeal Filing/Resolution				
	Status	As of 4/11/13	Since Last Report	Total
1.	Claimant Appeals Filed	384	47	431
2.	Appeals Resolved	111	87	198
(a)	Panel Decided	66	84	150
(b)	Settled by Parties	26	-2	24
(c)	Remanded by Panel	0	1	1
(d)	Administratively Closed	4	0	4
(e)	Withdrawn	15	4	19
B. Pending Appeals				
3.	In Pre-Panel Baseball Process		51	
4.	In Pre-Panel Non-Baseball Process		71	
5.	Currently Before Panel		111	
6.	TOTAL PENDING		233	

(c) Resolved Appeals.

As reported in the tables above, 773 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 Recon.	Total
		Award Amount after Appeal, Compared to Original Notice									
		Higher	Lower	Same	Denial Upheld	Denial Over-turned	Remand				
1.	Seafood	10	76	7	5	0	1	39	3	8	149
2.	BEL	65	156	7	34	5	12	89	5	31	404
3.	Wetlands Real Property	0	1	2	2	0	0	2	0	0	7
4.	Coastal Real Property	0	2	4	5	0	1	4	0	0	16
5.	Real Property Sales	0	2	2	13	0	0	2	1	0	20
6.	VoO Charter Payment	17	29	14	22	9	2	17	2	0	112
7.	IEL	5	8	2	19	2	1	4	0	1	42
8.	VPD	10	6	0	0	0	3	4	0	0	23
9.	Total	107	280	38	100	16	20	161	11	40	773

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 continued to increase their outreach efforts related to Identity Verification Incompleteness Notices, in addition to continued outreach efforts across several damage categories related to incompleteness reasons. Firm Contacts continued to facilitate conference calls held in collaboration with the accountants to efficiently address documentation requirements and resolve outstanding Program questions. Firm Contacts also continued outreach efforts regarding incomplete payment documentation.



B. Communications Center (CCC).

The CCC continues to enhance Claimant Outreach efforts by working directly with each damage category. Continued outreach campaigns included calls to claimants who emailed the Program with questions or status inquiries, incomplete claims, Identity Verification issues, and to claimants with incomplete payment documentation. The CCC continuously seeks self-improvement. By increasing the frequency of structured and informal Agent feedback, the CCC is improving Agent competency and realizing an increase in positive feedback from Claimants.

C. Claimant Assistance Centers (CACs).

The Claimant Outreach Program (COP) continues at the CACs. To date, the COP has completed over 42,500 outreach calls to claimants. The CACs continued outreach efforts 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:

Table 14. Outreach Call Volume (As of 5/10/13)							
Row	Location	Calls Made	Incomplete Claims Affected	Claims With New Docs After Call	% of Claims With New Docs After Call	Claimants Visiting CAC After Call	% of Claimants Visiting CAC
1.	BrownGreer	42,506	16,221	12,142	75%	6,068	37%
2.	Garden City Group	39,485	6,257	4,354	70%	408	7%
3.	P&N	10,967	3,115	2,404	77%	91	3%
4.	PWC	738	298	264	89%	9	3%
5.	Total	93,696	25,891	19,164	74%	6,576	25%



III. POLICY KEEPER

On May 7, 2013, we added 242 additional policies to Policy Keeper. With the addition of these new policies, Policy Keeper now has 306 policies for the public to review. The Parties agreed to publicize these policies because they affect how claims are processed in the Settlement Program and inform claimants and the public about policy decisions not explicitly delineated within the Settlement Agreement. By providing these policies to the public, they help claimants and Appeals Panelists understand what policy was in place when the Claims Administrator reviewed a particular claim. Further, to provide transparency in how the Settlement Program reviews claims, we included superseded policies. Several policies have a long history and have changed significantly over time, thereby changing the review steps and criteria for certain Claim Types. For these reasons, we provided claimants and the public with any policy that may have affected the review of their claims.

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 13th day of May, 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	821	27,279	28,100	18%	1,592	30,769	32,361	18%
2.	Florida	1,968	50,849	52,817	34%	5,010	51,164	56,174	32%
3.	Louisiana	1,627	35,288	36,915	24%	2,578	44,835	47,413	27%
4.	Mississippi	549	17,995	18,544	12%	917	19,344	20,261	11%
5.	Texas	244	8,306	8,550	6%	673	7,106	7,779	4%
6.	Other	1,068	8,203	9,271	6%	1,096	11,540	12,636	7%
7.	Total	6,277	147,920	154,197	100%	11,866	164,758	176,624	100%

Chart 1: Filings by State of Residence

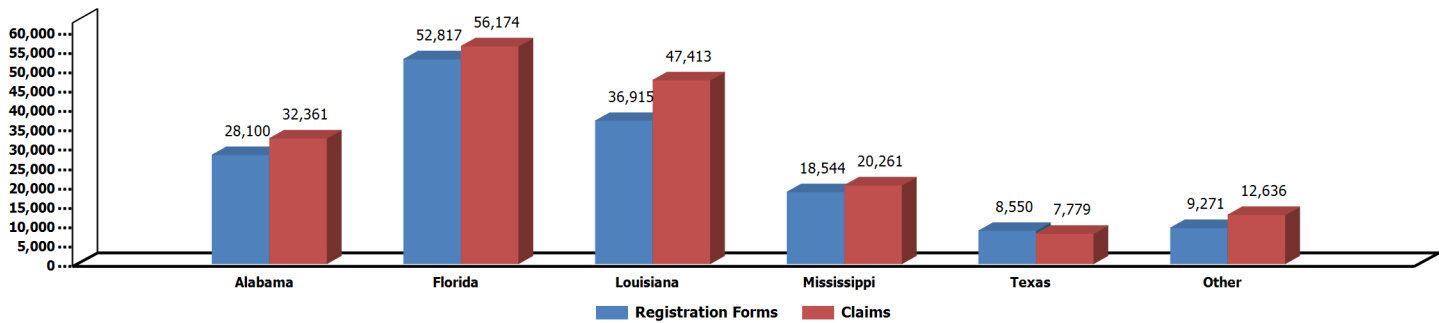


Table 2	Number of Claims by Claim Type					
	Claim Type	Claims				Unique Claimants with Form Submitted
		Form Begun	Form Submitted	Total	%	
1.	Seafood Compensation Program	422	23,862	24,284	14%	10,244
2.	Individual Economic Loss	6,225	29,946	36,171	20%	29,918
3.	Individual Periodic Vendor or Festival Vendor Economic Loss	143	232	375	<1%	232
4.	Business Economic Loss	2,500	46,424	48,924	28%	41,051
5.	Start-Up Business Economic Loss	260	3,226	3,486	2%	2,931
6.	Failed Business Economic Loss	252	2,519	2,771	2%	2,372
7.	Coastal Real Property	845	23,841	24,686	14%	16,745
8.	Wetlands Real Property	211	5,234	5,445	3%	1,745
9.	Real Property Sales	181	1,142	1,323	1%	918
10.	Subsistence	672	18,947	19,619	11%	18,940
11.	VoO Charter Payment	93	8,292	8,385	5%	5,925
12.	Vessel Physical Damage	62	1,093	1,155	1%	958
13.	Total	11,866	164,758	176,624	100%	120,034

Chart 2: Number of Claims by Claim Type

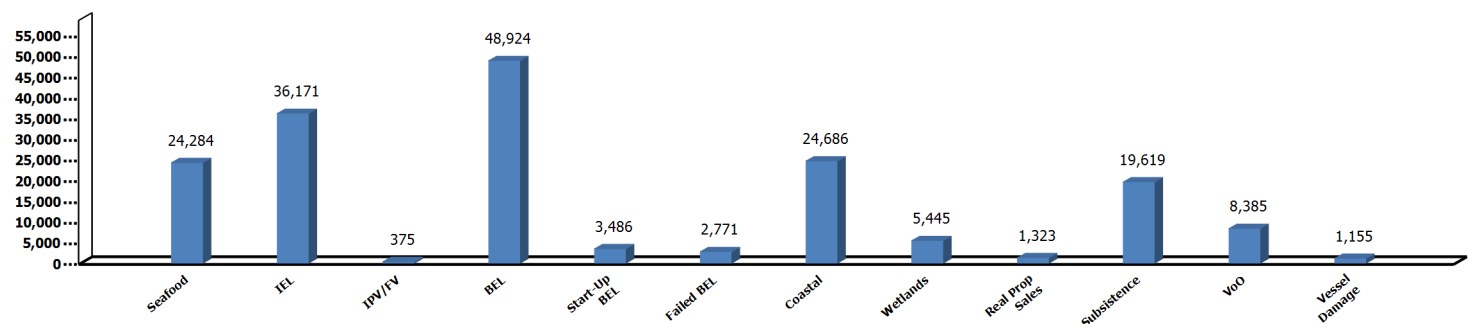


Table 3	Filings by Claimant Assistance Center								
	Claimant Assistance Center	Registration Forms				Claims			
		Form Begun	Form Submitted	Total	%	Form Begun	Form Submitted	Total	%
1.	Apalachicola, FL	26	1,256	1,282	5%	37	1,750	1,787	6%
2.	Bay St. Louis , MS	9	529	538	2%	31	633	664	2%
3.	Bayou La Batre, AL	21	849	870	3%	50	973	1,023	3%
4.	Biloxi , MS	36	1,247	1,283	5%	59	1,503	1,562	5%
5.	Bridge City, TX	2	332	334	1%	15	575	590	2%
6.	Clearwater, FL	73	2,092	2,165	8%	357	1,594	1,951	6%
7.	Cut Off, LA	13	425	438	2%	24	574	598	2%
8.	Fort Walton Beach , FL	12	1,207	1,219	5%	52	1,655	1,707	6%
9.	Grand Isle, LA	5	142	147	1%	6	215	221	1%
10.	Gretna/Harvey, LA	38	1,949	1,987	8%	50	1,981	2,031	7%
11.	Gulf Shores, AL	20	1,826	1,846	7%	60	2,430	2,490	8%
12.	Houma, LA	25	787	812	3%	42	1,018	1,060	4%
13.	Lafitte, LA	4	286	290	1%	12	387	399	1%
14.	Mobile, AL	61	5,671	5,732	23%	184	6,086	6,270	21%
15.	Naples, FL	24	1,195	1,219	5%	35	1,090	1,125	4%
16.	New Orleans – CBD BG, LA	15	332	347	1%	22	346	368	1%
17.	New Orleans East, LA	45	1,877	1,922	8%	108	2,189	2,297	8%
18.	Panama City Beach, FL	23	1,619	1,642	7%	95	2,346	2,441	8%
19.	Pensacola, FL	25	1,206	1,231	5%	64	1,471	1,535	5%
20.	Total	477	24,827	25,304	100%	1,303	28,816	30,119	100%

Chart 3: Number of Claims by Claimant Assistance Center

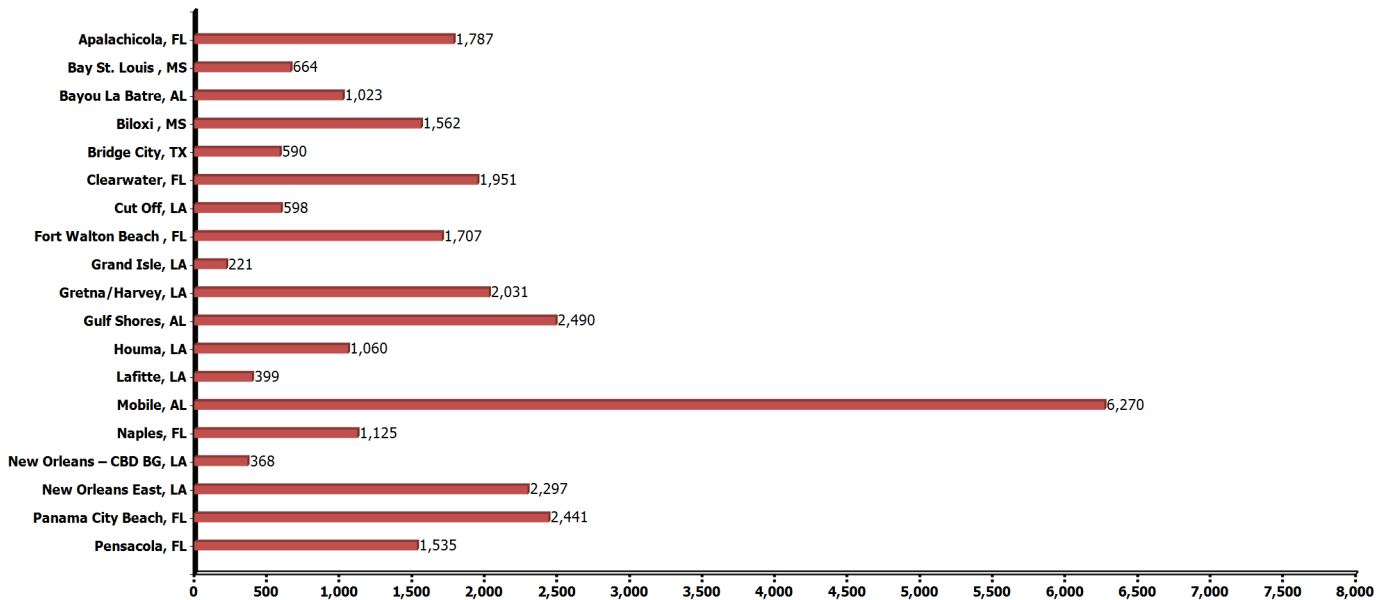


Table 4	Claim Type	Notices Issued											Total Claims Issued Notice
		Eligible - Payable	Eligible - No Payment	Incomplete	Denial					Opt-Outs	Withdrawn	Closed	
					Exclusion Denials	Prior GCCF Release	Causation Denials	Other Denials	Incomplete Denials				
1.	Seafood Compensation Program	6,475	983	5,767	41	2,217	0	202	882	1,164	1,915	394	20,040
2.	Individual Economic Loss	1,280	360	11,766	1,904	1,753	28	504	4,893	511	240	973	24,212
3.	Individual Periodic Vendor or Festival Vendor Economic Loss	4	0	56	4	22	0	37	69	2	28	10	232
4.	Business Economic Loss	7,266	141	8,264	387	438	1,201	32	2,750	555	319	619	21,972
5.	Start-Up Business Economic Loss	299	11	934	22	34	29	21	440	66	47	86	1,989
6.	Failed Business Economic Loss	8	6	552	34	83	136	408	368	60	33	96	1,784
7.	Coastal Real Property	15,526	19	1,947	4	516	0	2,167	719	141	139	924	22,102
8.	Wetlands Real Property	1,482	1	74	6	48	0	819	8	9	120	297	2,864
9.	Real Property Sales	383	0	35	4	38	14	349	28	3	19	85	958
10.	Subsistence	472	0	979	9	964	0	6	1	125	31	27	2,614
11.	VoO Charter Payment	6,804	14	122	9	0	0	526	544	25	41	45	8,130
12.	Vessel Physical Damage	460	9	217	4	0	0	38	78	12	10	35	863
13.	Total	40,459	1,544	30,713	2,428	6,113	1,408	5,109	10,780	2,673	2,942	3,591	107,760

Table 5	Claim Type	Payment Information						
		Eligibility Notices Issued with Payment Offer		Accepted Offers		Payments Made		
		Number	Amount	Number	Amount	Number	Amount	Unique Claimants Paid
1.	Seafood Compensation Program	6,475	\$919,549,076	4,742	\$812,053,996	4,249	\$794,466,992	2,726
2.	Individual Economic Loss	1,280	\$14,893,090	1,035	\$11,611,461	939	\$10,281,963	939
3.	Individual Periodic Vendor or Festival Vendor Economic Loss	4	\$14,396	3	\$7,961	3	\$7,961	3
4.	Business Economic Loss	7,266	\$1,726,213,863	6,363	\$1,494,475,895	5,306	\$889,361,558	5,140
5.	Start-Up Business Economic Loss	299	\$72,948,962	258	\$42,432,057	226	\$31,595,190	215
6.	Failed Business Economic Loss	8	\$1,218,046	3	\$589,357	3	\$589,357	3
7.	Coastal Real Property	15,526	\$95,823,321	13,829	\$86,345,130	12,530	\$74,554,747	10,004
8.	Wetlands Real Property	1,482	\$84,341,416	1,344	\$65,752,707	1,269	\$55,089,828	568
9.	Real Property Sales	383	\$21,730,196	365	\$20,996,749	349	\$20,912,824	324
10.	Subsistence	472	\$4,317,052	383	\$3,456,000	330	\$2,914,641	330
11.	VoO Charter Payment	6,804	\$274,543,232	6,620	\$268,186,886	6,415	\$262,089,805	4,917
12.	Vessel Physical Damage	460	\$8,783,152	401	\$7,146,264	361	\$5,105,595	347
13.	Total	40,459	\$3,224,375,803	35,346	\$2,813,054,463	31,980	\$2,146,970,462	25,516

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.