



**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.**

**43**

**DATE**

**MARCH 31, 2016**

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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**

**STATUS REPORT NO. 43, DATED MARCH 31, 2016**

The Claims Administrator of the Deepwater Horizon Economic and Property Settlement Agreement (Settlement Agreement) submits this Report to inform the Court of the status of the implementation of the Settlement Agreement as of February 29, 2016. 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 Form Submissions.**

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. As of February 29, 2016, the Claims Administrator’s Office and Vendors (CAO)<sup>1</sup> have received 383,267 Claim Forms since the Settlement Program opened on June 4, 2012, as shown in the Public Statistics for the Deepwater Horizon Economic and Property Damages Settlement (Public Report) attached as Exhibit A.<sup>2</sup>

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<sup>1</sup> “Claims Administrator’s Office”, as used within this report, refers to the Claims Administrator and, where applicable, Court-Supervised Settlement Program vendors working with and under the Claims Administrator.

<sup>2</sup> The total claims received may continue to experience insignificant changes as the CAO continues to process outstanding claims.

Of the total Claim Forms submitted, 6.5% were filed within the Seafood Program, 15.9% were filed within the Individual Economic Loss (IEL) framework, and 38.2% were filed within the Business Economic Loss (BEL) framework (including Start-Up and Failed BEL Claims). *See* Ex. A, Table 2.

On December 8, 2014, the United States Supreme Court declined the request for a review of the Fifth Circuit's rulings upholding the District Court's Final Approval Order of the Settlement Agreement. Accordingly, the Effective Date of the Settlement Agreement was December 8, 2014, and the final deadline for filing all new claims occurred on June 8, 2015. As such, the Claims Administrator will close new claim submissions made after June 8, 2015.

**B. Claims Review.**

The CAO completed its first claim reviews and issued its first outcome notices on July 15, 2012, and its first payments on July 31, 2012. There are many steps involved in reviewing a claim so that it is ready for a notice. In addition to reviewing the claims, substantial communication to claimants or their representatives is performed via notices, emails, phone calls, interviews, and site visits to obtain clarification and/or additional information or documentation necessary for the Program to review claims.

**1. Claim Type Review Details.**

Table 1 provides information, by Claim Type, on the number of claims filed, the number of claims that have been reviewed to Notice, the number of claims remaining to be reviewed to Notice, and the number of claims reviewed to either a Notice or "Later Notice" to date. Table 1 divides the claims reviewed to a "Later Notice" into separate sections: (1) claims receiving a Notice based on CAO review following the submission of additional materials by a claimant in response to an Incompleteness Notice, and (2) claims receiving a Notice following a Reconsideration review conducted by the CAO.

**Table 1. Throughput Analysis of Claims Filed and Notices Issued.****A. Claims Reviewed to First Notice**

	Claim Type	Status of All Claims Filed				
		Total Claims Filed To Date <sup>3</sup>	Reviews Completed to Notice or Closed		Claims Remaining to Review	
1.	Seafood	24,953	24,921	99.9%	32	0.1%
2.	IEL	60,781	55,031	90.5%	5,750	9.5%
3.	IPV/FV	388	385	99.2%	3	0.8%
4.	BEL	133,076	107,824	81.0%	25,252	19.0%
5.	Start-Up BEL	7,733	6,884	89.0%	849	11.0%
6.	Failed BEL	5,614	5,016	89.3%	598	10.7%
7.	Coastal RP	42,128	41,487	98.5%	641	1.5%
8.	Wetlands RP	27,317	18,471	67.6%	8,846	32.4%
9.	RPS	3,065	2,037	66.5%	1,028	33.5%
10.	Subsistence	67,691	52,478	77.5%	15,213	22.5%
11.	VoO	8,959	8,953	99.9%	6	0.1%
12.	VPD	1,562	1,546	99.0%	16	1.0%
13.	<b>TOTAL</b>	<b>383,267</b>	<b>325,033</b>	<b>84.8%</b>	<b>58,234</b>	<b>15.2%</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		Total Requests	Claims with Later Notice	Remaining Claims	
				#	%			#	%			#	%
1.	Seafood	6,025	5,697	328	5.4%	2,906	2,783	123	4.2%	4,235	3,912	323	7.6%
2.	IEL	18,798	16,574	2,224	11.8%	9,726	8,584	1,142	11.7%	7,027	6,479	548	7.8%
3.	IPV/FV	116	112	4	3.4%	45	45	0	0.0%	51	47	4	7.8%
4.	BEL	53,769	40,886	12,883	24.0%	27,861	19,843	8,018	28.8%	17,070	13,370	3,700	21.7%
5.	Start-Up BEL	3,463	2,825	638	18.4%	2,228	1,734	494	22.2%	1,547	1,241	306	19.8%
6.	Failed BEL	1,590	1,286	304	19.1%	1,096	822	274	25.0%	1,028	813	215	20.9%
7.	Coastal RP	6,311	6,178	133	2.1%	1,846	1,793	53	2.9%	2,311	2,269	42	1.8%
8.	Wetlands RP	821	539	282	34.3%	169	133	36	21.3%	1,303	1,175	128	9.8%
9.	RPS	371	370	1	0.3%	138	138	0	0.0%	261	260	1	0.4%
10.	Subsistence	17,395	10,803	6,592	37.9%	8,124	4,887	3,237	39.8%	5,097	3,576	1,521	29.8%
11.	VoO	1,008	995	13	1.3%	444	432	12	2.7%	683	677	6	0.9%
12.	VPD	816	783	33	4.0%	391	378	13	3.3%	304	273	31	10.2%
13.	<b>TOTAL</b>	<b>110,483</b>	<b>87,048</b>	<b>23,435</b>	<b>21.2%</b>	<b>54,974</b>	<b>41,572</b>	<b>13,402</b>	<b>24.4%</b>	<b>40,917</b>	<b>34,092</b>	<b>6,825</b>	<b>16.7%</b>

<sup>3</sup> The total claims received may continue to experience insignificant changes as the CAO continues to process outstanding claims.

## 2. 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 has been determined to be payable and the Compensation Amount has been calculated, the CAS team reviews accounting invoices and CAS Sworn Written Statements submitted by the claimant. Table 2 includes information on the number of CAS reviews the CAO has completed to date, whether the Accounting Support documentation was complete, and the dollar amounts reimbursed for each Claim Type.

<b>Table 2. Claimant Accounting Support.</b>									
	Claim Type	CAS Review Results				Total CAS Review Results		CAS Dollar Amount Reimbursed	
		Complete		Incomplete		Since Last Report	Total to Date	Since Last Report <sup>4</sup>	Total to Date
		Since Last Report	Total to Date	Since Last Report	Total to Date				
1.	<b>BEL</b>	2,118	27,054	424	3,832	2,542	30,886	\$1,510,704.00	\$35,031,692.06
2.	<b>IEL</b>	19	3,397	4	768	23	4,165	\$4,557.14	\$433,659.70
3.	<b>Seafood</b>	4	3,973	10	876	14	4,849	-\$6,696.90	\$1,635,298.95
4.	<b>TOTAL</b>	<b>2,141</b>	<b>34,424</b>	<b>438</b>	<b>5,476</b>	<b>2,579</b>	<b>39,900</b>	<b>\$1,508,564.24</b>	<b>\$37,100,650.71</b>

## C. Claim Notices and Payments.

Tables 3 and 4 of the Public Report attached in Exhibit A provide detail on the notices and payments issued to date. As of February 29, 2016, the CAO has issued 123,041 Eligibility Notices to unique claims with Payment Offers totaling \$7.6 billion. As of that date, the CAO has made payments on 112,454 claims totaling \$6.9 billion.

<sup>4</sup> Changes since the last report include the impact of claims previously deemed Incomplete during CAS Review that are no longer considered Incomplete after a subsequent review. Negative values may occasionally appear in this table, which may occur when a claim has gone through multiple CAS Reviews resulting in a change in the CAS Review result. For example, a claim's CAS Review may change from incomplete to complete when the claimant supplements his/her CAS Review with additional documentation to cure an incompleteness reason. Similarly, negative values may appear when a claim goes through an additional CAS Review after Reconsideration or when a claim goes through a new initial review and the CAS reviewer must apply current review policies.

**D. Re-Reviews, Reconsiderations, and Appeals.****1. Re-Reviews and Outcomes.**

To date, there have been 144,236 Eligibility or Denial Notices issued from which claimants can or could seek Re-Review. Of those, the window to seek Re-Review has passed or Re-Review has been requested for 139,660. Of those, claimants have requested Re-Review of 18,434 claims. Thus, the rate of Re-Review from all final determinations is 13.2%. The rate of Re-Review from Eligibility Notices is 9.7%, while the rate of Re-Review from Denial Notices is 22.3%.

Table 3 summarizes the Re-Reviews the CAO has completed, the number of Post Re-Review Notices the CAO has issued, and whether the outcome of the Re-Review resulted in an award that was higher than ( ), lower than ( ), or the same as ( ) the outcome previously issued. The table also includes information on whether an original Exclusion Denial was confirmed or overturned on Re-Review.

<b>Table 3. Re-Reviews.</b>					
<b>A. Re-Review Requests and Reviews</b>					
	Claim Type	Requests Received To Date	Notice Issued or Claims Closed	Claims Remaining to Receive Notice or Claims Closed	
				#	%
1.	Seafood	923	907	16	1.7%
2.	IEL	1,034	965	69	6.7%
3.	IPV/FV	14	14	0	0.0%
4.	BEL	6,677	5,253	1,424	21.3%
5.	Start-Up BEL	551	415	136	24.7%
6.	Failed BEL	341	294	47	13.8%
7.	Coastal RP	1,230	1,213	17	1.4%
8.	Wetlands RP	3,065	1,790	1,275	41.6%
9.	RPS	132	132	0	0.0%
10.	Subsistence	4,345	3,932	413	9.5%
11.	VoO	70	69	1	1.4%
12.	VPD	52	51	1	1.9%
13.	<b>TOTAL</b>	<b>18,434</b>	<b>15,035</b>	<b>3,399</b>	<b>18.4%</b>

<b>B. Re-Review Notices Issued</b>											
	<b>Claim Type</b>	<b>Outcome of Re-Review Notice<sup>5</sup></b>									
		<b>Compensation Amount for Eligible Claims</b>						<b>Exclusions/Denials</b>			
								<b>Confirmed</b>		<b>Overturned</b>	
		<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
<b>1.</b>	<b>Seafood</b>	462	50.9%	58	6.4%	251	27.7%	125	13.8%	11	1.2%
<b>2.</b>	<b>IEL</b>	235	24.4%	97	10.1%	299	31.0%	327	33.9%	7	0.7%
<b>3.</b>	<b>IPV/FV</b>	0	0.0%	0	0.0%	0	0.0%	14	100.0%	0	0.0%
<b>4.</b>	<b>BEL</b>	1,684	32.1%	177	3.4%	454	8.6%	2,869	54.6%	69	1.3%
<b>5.</b>	<b>Start-Up BEL</b>	63	15.2%	10	2.4%	13	3.1%	325	78.3%	4	1.0%
<b>6.</b>	<b>Failed BEL</b>	4	1.4%	4	1.4%	5	1.7%	280	95.2%	1	0.3%
<b>7.</b>	<b>Coastal RP</b>	65	5.4%	4	0.3%	149	12.3%	953	78.6%	42	3.5%
<b>8.</b>	<b>Wetlands RP</b>	35	2.0%	9	0.5%	50	2.8%	1,676	93.6%	20	1.1%
<b>9.</b>	<b>RPS</b>	1	0.8%	0	0.0%	3	2.3%	115	87.1%	13	9.8%
<b>10.</b>	<b>Subsistence</b>	2,688	68.4%	679	17.3%	454	11.5%	110	2.8%	1	0.0%
<b>11.</b>	<b>VoO</b>	7	10.1%	5	7.2%	18	26.1%	37	53.6%	2	2.9%
<b>12.</b>	<b>VPD</b>	20	39.2%	4	7.8%	13	25.5%	13	25.5%	1	2.0%
<b>13.</b>	<b>TOTAL</b>	<b>5,264</b>	<b>35.0%</b>	<b>1,047</b>	<b>7.0%</b>	<b>1,709</b>	<b>11.4%</b>	<b>6,844</b>	<b>45.5%</b>	<b>171</b>	<b>1.1%</b>

## 2. Reconsideration Reviews and Outcomes.

To date, there have been 267,495 Eligibility, Denial, or Incompleteness Denial Notices issued from which claimants can or could seek Reconsideration. Of those, the window to seek Reconsideration has passed or Reconsideration has been requested for 258,328. Of those, claimants have requested Reconsideration of 40,917 claims. Thus, the rate of Reconsideration from all final determinations is 15.8%. The rate of Reconsideration from Eligibility Notices is 5.3%, while the rate of Reconsideration from Denial or Incompleteness Denial Notices is 26.2%.

Table 4 summarizes the Reconsiderations the CAO has completed, the number of Post-Reconsideration Notices the CAO has issued, and whether the outcome of the Reconsideration review resulted in an award that was higher than ( ), lower than ( ), or the same as ( ) the

<sup>5</sup> Changes since the last report include the impact of claimants receiving new notices and subsequently requesting Re-Review, which eliminated claims associated with these Re-Review requests.

outcome previously issued. The table also includes information on whether an original Exclusion Denial was confirmed or overturned on Reconsideration.

<b>Table 4. Reconsideration.</b>											
<b>A. Reconsideration Requests and Reviews</b>											
	Claim Type	Requests Received To Date		Notice Issued or Claims Closed	Claims Remaining to Receive Notice or Claims Closed						
					#	%					
1.	Seafood	4,235		3,912	323	7.6%					
2.	IEL	7,027		6,479	548	7.8%					
3.	IPV/FV	51		47	4	7.8%					
4.	BEL	17,070		13,370	3,700	21.7%					
5.	Start-Up BEL	1,547		1,241	306	19.8%					
6.	Failed BEL	1,028		813	215	20.9%					
7.	Coastal RP	2,311		2,269	42	1.8%					
8.	Wetlands RP	1,303		1,175	128	9.8%					
9.	RPS	261		260	1	0.4%					
10.	Subsistence	5,097		3,576	1,521	29.8%					
11.	VoO	683		677	6	0.9%					
12.	VPD	304		273	31	10.2%					
13.	<b>TOTAL</b>	<b>40,917</b>		<b>34,092</b>	<b>6,825</b>	<b>16.7%</b>					
<b>B. Reconsideration Notices Issued</b>											
	Claim Type	Outcome of Reconsideration Notice									
		Compensation Amount for Eligible Claims				Exclusions/Denials					
						Confirmed		Overturned			
		#	%	#	%	#	%	#	%	#	%
1.	Seafood	802	20.5%	198	5.1%	536	13.7%	1,881	48.1%	495	12.7%
2.	IEL	170	2.6%	127	2.0%	482	7.4%	3,966	61.2%	1,734	26.8%
3.	IPV/FV	0	0.0%	0	0.0%	0	0.0%	46	97.9%	1	2.1%
4.	BEL	604	4.5%	247	1.8%	532	4.0%	5,986	44.8%	6,001	44.9%
5.	Start-Up BEL	13	1.0%	12	1.0%	24	1.9%	778	62.7%	414	33.4%
6.	Failed BEL	2	0.2%	7	0.9%	12	1.5%	657	80.8%	135	16.6%
7.	Coastal RP	96	4.2%	24	1.1%	450	19.8%	1,401	61.7%	298	13.1%
8.	Wetlands RP	38	3.2%	12	1.0%	75	6.4%	1,014	86.3%	36	3.1%
9.	RPS	1	0.4%	0	0.0%	4	1.5%	228	87.7%	27	10.4%
10.	Subsistence	615	17.2%	71	2.0%	116	3.2%	1,693	47.3%	1,081	30.2%
11.	VoO	59	8.7%	4	0.6%	127	18.8%	422	62.3%	65	9.6%
12.	VPD	48	17.6%	6	2.2%	16	5.9%	129	47.3%	74	27.1%
13.	<b>TOTAL</b>	<b>2,448</b>	<b>7.2%</b>	<b>708</b>	<b>2.1%</b>	<b>2,374</b>	<b>7.0%</b>	<b>18,201</b>	<b>53.4%</b>	<b>10,361</b>	<b>30.4%</b>



### 3. Appeals.

#### (a) BP Appeals.

To date, the CAO has issued 31,665 Eligibility Notices that meet or exceed the threshold amount rendering them eligible for appeal by BP. Of those, BP has either filed an appeal or the deadline for BP to file an appeal has passed for 31,340 Notices. Of those 31,340 Notices, BP has filed 7,564 appeals, a 24.1% appeal rate. Table 5 provides summary information on the status of BP appeals.

<b>Table 5. Status of BP Appeals.</b>				
<b>A. Appeal Filing/Resolution</b>				
	<b>Status</b>	<b>As of Last Report</b>	<b>Since Last Report</b>	<b>Total</b>
<b>1.</b>	<b>BP Appeals Filed</b>	<b>7,490</b>	<b>74</b>	<b>7,564</b>
<b>2.</b>	<b>Resolved Appeals</b>	<b>7,079</b>	<b>77</b>	<b>7,156</b>
(a).	Resolved by Panel Decision	2,898	33	2,931
(b).	Resolved by Parties	1,335	24	1,359
(c).	Remand to Claims Administrator	257	11	268
(d).	Administratively Closed	423	0	423
(e).	Withdrawn	452	7	459
(f).	Inactive Under Reconsideration/Re-Review	269	2	271
(g).	Return for Review Under Policy 495	1,445	0	1,445
<b>B. Pending Appeals</b>				
<b>1.</b>	<b>In "Baseball" Process</b>		127	
<b>2.</b>	<b>Submitted to Panel</b>		195	
<b>3.</b>	<b>Under Discretionary Court Review</b>		86	
<b>4.</b>	<b>TOTAL PENDING</b>		<b>408</b>	

#### (b) Claimant Appeals.

Before a claimant may file an appeal, the claimant must request Reconsideration and receive a Post-Reconsideration Eligibility or Denial Notice. To date, the CAO has issued 13,159 Post-Reconsideration Eligibility and Denial Notices. Of those, the claimant has either filed an appeal or the deadline for the claimant to file an appeal has passed for 12,634 Notices. Of those 12,634 Notices, claimants have filed 2,953 appeals, a 23.4% appeal rate. Of the 2,953 claimant appeals, 2,160 are appeals of Post-Reconsideration Denial Notices, while 793 are appeals of Post-

Reconsideration Eligibility Notices. Table 6 provides summary information on the status of Claimant Appeals.

<b>Table 6. Status of Claimant Appeals.</b>				
<b>A. Appeal Filing/Resolution</b>				
	<b>Status</b>	<b>As of Last Report</b>	<b>Since Last Report</b>	<b>Total</b>
<b>1.</b>	<b>Claimant Appeals Filed</b>	<b>2,851</b>	<b>102</b>	<b>2,953</b>
<b>2.</b>	<b>Resolved Appeals</b>	<b>2,110</b>	<b>124</b>	<b>2,234</b>
(a).	<b>Resolved by Panel Decision</b>	1,645	85	1,730
(b).	<b>Resolved by Parties</b>	96	1	97
(c).	<b>Remand to Claims Administrator</b>	129	32	161
(d).	<b>Administratively Closed</b>	87	3	90
(e).	<b>Withdrawn</b>	63	3	66
(f).	<b>Return for Review Under Policy 495</b>	90	0	90
<b>B. Pending Appeals</b>				
<b>1.</b>	<b>In "Baseball" Process</b>			59
<b>2.</b>	<b>In "Non-Baseball" Process</b>			133
<b>3.</b>	<b>Submitted to Panel</b>			153
<b>4.</b>	<b>Under Discretionary Court Review</b>			374
<b>5.</b>	<b>TOTAL PENDING</b>			<b>719</b>

**(c) Resolved Appeals.**

As reported in the table below, 9,390 appeals have been resolved. Table 7 provides a summary of these resolved appeals by Claim Type. The comparison between the Post-Appeal Award Amount and the Award Amount within the original notice does not take into consideration the 5.0% increase in compensation that a claimant who prevails upon appeal receives.

<b>Table 7. Outcome After Appeal.</b>												
<b>Claim Type</b>		<b>Appeals Settled or Decided by Panel</b>						<b>With- drawn</b>	<b>Admin. Closed</b>	<b>Inactive Under Recon./Re- Review</b>	<b>Return for Review Under Policy 495</b>	<b>Total</b>
		<b>Compensation Amount Following Appeal Compared to That of Original Notice</b>										
		<b>Higher</b>	<b>Lower</b>	<b>Same</b>	<b>Denial Upheld</b>	<b>Denial Over- turned</b>	<b>Remand</b>					
<b>1.</b>	<b>Seafood</b>	82	22	174	61	8	25	54	9	9	0	<b>444</b>
<b>2.</b>	<b>IEL</b>	28	72	132	117	14	55	17	27	8	0	<b>470</b>
<b>3.</b>	<b>IPV/FV</b>	0	0	0	1	1	0	0	1	0	0	<b>3</b>

**Table 7. Outcome After Appeal.**

<b>Table 7. Outcome After Appeal.</b>												
<b>Claim Type</b>		<b>Appeals Settled or Decided by Panel</b>						<b>With- drawn</b>	<b>Admin. Closed</b>	<b>Inactive Under Recon./Re- Review</b>	<b>Return for Review Under Policy 495</b>	<b>Total</b>
		<b>Compensation Amount Following Appeal Compared to That of Original Notice</b>										
		<b>Higher</b>	<b>Lower</b>	<b>Same</b>	<b>Denial Upheld</b>	<b>Denial Over- turned</b>	<b>Remand</b>					
<b>4.</b>	<b>BEL</b>	73	1,501	2,433	563	119	311	398	446	238	1,535	<b>7,617</b>
<b>5.</b>	<b>Coastal RP</b>	38	1	29	169	7	4	8	8	0	0	<b>264</b>
<b>6.</b>	<b>Wetlands RP</b>	3	10	6	75	3	2	6	12	16	0	<b>133</b>
<b>7.</b>	<b>RPS</b>	0	8	27	44	0	1	5	2	0	0	<b>87</b>
<b>8.</b>	<b>Subsistence</b>	1	1	18	5	1	13	1	4	0	0	<b>44</b>
<b>9.</b>	<b>VoO</b>	17	32	49	67	20	6	28	4	0	0	<b>223</b>
<b>10.</b>	<b>VPD</b>	2	29	32	22	0	12	8	0	0	0	<b>105</b>
<b>11.</b>	<b>TOTAL</b>	<b>244</b>	<b>1,676</b>	<b>2,900</b>	<b>1,124</b>	<b>173</b>	<b>429</b>	<b>525</b>	<b>513</b>	<b>271</b>	<b>1,535</b>	<b>9,390</b>

**(d) Incompleteness Appeals.**

The Appeal for Insufficient Documentation (Incompleteness Appeal) allows Economic Class Members to have their claims reviewed by a separate Documentation Reviewer when the CAO denies their claims because of insufficient documentation. The Documentation Reviewer reviews the claimant's documentation to determine whether the Settlement Program correctly denied the claim.

Before sending the claim to the Documentation Reviewer, the CAO reviews the appeal request along with any newly submitted documents. If the claimant has submitted the requested documentation and cured the incompleteness, the CAO issues the appropriate Notice. If the claimant still has not submitted the requested documentation, the CAO sends the claim to the Documentation Reviewer for review.

Before a claimant may file an appeal of an Incompleteness Denial, the claimant must request Reconsideration and receive a Post-Reconsideration Incompleteness Denial Notice. To

date, the CAO has issued 9,812 Post-Reconsideration Incompleteness Denial Notices. Of those, the claimant's appeal deadline has passed or an appeal has been filed for 9,611 Notices. Of the 9,611 Notices eligible for appeal, 5,151 (53.6%) appeal requests have been filed. Table 8 provides summary information on the status of Incompleteness Appeals.

<b>Table 8. Incompleteness Appeals.</b>				
<b>A. Incompleteness Appeal Filing/Resolution</b>				
	<b>Status</b>	<b>As of Last Report</b>	<b>Since Last Report</b>	<b>Total</b>
<b>1.</b>	<b>Incompleteness Appeals Filed</b>	<b>4,853</b>	<b>298</b>	<b>5,151</b>
<b>2.</b>	<b>Appeals Resolved</b>	<b>2,884</b>	<b>170</b>	<b>3,054</b>
(a).	Withdrawn/Closed Claims	47	5	52
(b).	Cured	961	120	1,081
(c).	Incompleteness Denial Affirmed	1,674	38	1,712
(d).	Incompleteness Denial Overturned	202	7	209
<b>B. Pending Incompleteness Appeals</b>				
<b>3.</b>	<b>In Pre-Documentation Reviewer Process</b>		1,656	
<b>4.</b>	<b>Currently Before Documentation Reviewer</b>		441	
<b>5.</b>	<b>TOTAL PENDING</b>		<b>2,097</b>	

**(e) Fifth Circuit Appeals.**

As a result of decisions handed down by the United States Court of Appeals for the Fifth Circuit (the "Fifth Circuit") on May 8, 2015, the Parties now have the right to notice further appeals to the Fifth Circuit from rulings made by the District Court on discretionary review of individual claims. The CAO has finalized procedures with the District Court to implement and facilitate the Fifth Circuit's rulings since changes were required with respect to the docketing of discretionary review requests and rulings, and the creation of appeal records. Claimants primarily have taken various appeals, which have been argued, are awaiting oral argument, and/or are pending decision before the Fifth Circuit.

**E. Seafood Supplemental Distribution.**

The Settlement Agreement calls for BP to finance a \$2.3 billion Seafood Compensation Program Settlement Fund. The Settlement Agreement states that any balance available after the

first distribution will be distributed to each claimant in proportion to the claimant's gross compensation, unless the Court-Appointed Seafood Neutrals recommend a different formula. On September 19, 2014, the Seafood Neutrals submitted to the Court their Recommendations for the Seafood Compensation Program Supplemental Distribution (which can be located on the Settlement Program's Website). On November 18, 2014, the Court approved the Seafood Supplemental Distribution formula established under the Court-Designated Neutrals' Recommendations for Seafood Compensation Program Supplemental Distribution. The Court approved a partial Supplemental Distribution targeted at \$500 million of the remaining undistributed portion of the aggregate \$2.3 billion fund for the Seafood Compensation Program. Payments will be disbursed in multiple phases.

As of February 29, 2016, the Settlement Program has issued 4,796 Seafood Supplemental Distribution Round One Eligibility Notices for a total value of \$472,194,226. The Seafood Supplemental Distribution Round One Notices are included in the report where appropriate. As of February 29, 2016, the Settlement Program has issued Supplemental Distribution Round One payments of \$469,716,234 to 4,224 claimants.

On December 17, 2015, the Claims Administrator submitted a letter report and recommendations to the Court providing for a subsequent distribution ("Supplemental Distribution Round Two"), and thereafter a residual distribution ("Residual Distribution"). The Claims Administrator recommended that Supplemental Distribution Round Two follow the Seafood Neutrals' pro rata approach and include: (1) claimants that were not included in the partial distribution approved by the Court on November 18, 2014 ("Supplemental Distribution Round One") but now have eligible claims; and (2) claimants whose eligible claim populations or values increased subsequent to their Supplemental Distribution Round One calculations. The Claims Administrator also recommended that the Residual Distribution be administered after completion

of Supplemental Distribution Rounds One and Two to proportionally divide the remainder of the \$2.3 billion fund to all eligible claimants from those rounds. On January 7, 2016, the Court approved the Claims Administrator's report and recommendations in full, requiring that the Claims Administrator consult with the Seafood Neutrals, Class Counsel, and BP regarding the timing and amount of the Residual Distribution before disbursing it.

After the Court approved the Claims Administrator's report and recommendations on January 7, 2016, the Settlement Program began issuing Seafood Supplemental Round Two Eligibility Notices. As of February 29, 2016, the Settlement Program has issued 325 Seafood Supplemental Distribution Round Two Eligibility Notices for a total value of \$19,798,809. The Seafood Supplemental Distribution Round Two Notices are included in the report where appropriate. The Settlement Program has not yet issued any Supplemental Distribution Round Two payments.

## II. CONCLUSION

The Claims Administrator offers this Report to ensure that the Court is informed of the status of the Settlement Program to date. If the Court would find additional information helpful, the Claims Administrator stands ready to provide it at the Court's convenience.

/s/ Patrick 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 LexisNexis 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/ECF System, which will send a notice of electronic filing in accordance with the procedures established in MDL 2179, on this 31st day of March, 2016.

/s/ Patrick Juneau  
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	Claims		Unique Claimants with Forms Submitted
		Form Submitted	%	
1.	Alabama	63,154	16.5%	46,929
2.	Florida	104,834	27.4%	76,649
3.	Louisiana	118,690	31.0%	76,002
4.	Mississippi	44,785	11.7%	35,432
5.	Texas	19,518	5.1%	11,202
6.	Other	32,286	8.4%	15,119
7.	<b>Total</b>	<b>383,267</b>	<b>100.0%</b>	<b>261,333</b>

Table 2	Number of Claims by Claim Type			
	Claim Type	Claims		Unique Claimants with Form Submitted
		Form Submitted	%	
1.	Seafood Compensation Program	24,953	6.5%	10,543
2.	Individual Economic Loss	60,781	15.9%	58,591
3.	Individual Periodic Vendor or Festival Vendor Economic Loss	388	0.1%	382
4.	Business Economic Loss	133,076	34.7%	93,575
5.	Start-Up Business Economic Loss	7,733	2.0%	6,178
6.	Failed Business Economic Loss	5,614	1.5%	4,730
7.	Coastal Real Property	42,128	11.0%	28,622
8.	Wetlands Real Property	27,317	7.1%	4,490
9.	Real Property Sales	3,065	0.8%	1,608
10.	Subsistence	67,691	17.7%	67,196
11.	VoO Charter Payment	8,959	2.3%	6,291
12.	Vessel Physical Damage	1,562	0.4%	1,308
13.	<b>Total</b>	<b>383,267</b>	<b>100.0%</b>	<b>261,333</b>



Table 3	Notices Issued												
	Claim Type	Eligible - Payable	Eligible - No Payment	Incomplete	Denial					Opt-Outs	Withdrawn	Closed	Total Claims Issued Notice
					Exclusion Denials	Prior GCCF Release	Causation Denials	Other Denials	Incomplete Denials				
1.	Seafood Compensation Program	14,090	1,510	248	59	2,403	0	1,568	4,641	1,164	2,556	2,152	30,391
2.	Individual Economic Loss	6,736	1,654	9,784	3,490	2,485	101	3,575	22,861	786	2,114	3,464	57,050
3.	Individual Periodic Vendor or Festival Vendor Economic Loss	8	0	6	12	28	0	81	184	3	96	52	470
4.	Business Economic Loss	33,177	1,093	28,490	1,682	888	6,317	4,699	20,449	962	5,457	5,010	108,224
5.	Start-Up Business Economic Loss	960	39	1,596	75	56	446	830	2,085	111	255	501	6,954
6.	Failed Business Economic Loss	56	73	831	82	141	418	1,259	1,421	115	154	516	5,066
7.	Coastal Real Property	29,482	58	226	14	958	0	5,816	1,653	393	503	2,557	41,660
8.	Wetlands Real Property	8,432	11	409	28	95	0	6,198	115	94	204	2,800	18,386
9.	Real Property Sales	863	7	1	11	88	37	690	101	21	84	180	2,083
10.	Subsistence	21,311	613	13,491	36	2,318	0	1,691	9,556	276	635	2,514	52,441
11.	VoO Charter Payment	7,108	12	11	16	0	0	609	798	94	70	175	8,893
12.	Vessel Physical Damage	818	23	29	7	0	0	175	280	19	52	140	1,543
13.	<b>Total</b>	<b>123,041</b>	<b>5,093</b>	<b>55,122</b>	<b>5,512</b>	<b>9,460</b>	<b>7,319</b>	<b>27,191</b>	<b>64,144</b>	<b>4,038</b>	<b>12,180</b>	<b>20,061</b>	<b>333,161</b>

Table 4	Payment Information							
	Claim Type	Eligibility Notices Issued with Payment Offer		Accepted Offers		Payments Made		
		Number	Amount	Number	Amount	Number	Amount	Unique Claimants Paid
1.	Seafood Compensation Program	14,090	\$1,668,618,866	13,610	\$1,654,970,739	12,768	\$1,623,142,601	5,107
2.	Individual Economic Loss	6,736	\$82,863,827	6,428	\$80,238,381	6,229	\$76,191,272	6,229
3.	Individual Periodic Vendor or Festival Vendor Economic Loss	8	\$77,085	8	\$77,085	8	\$77,085	8
4.	Business Economic Loss	33,177	\$4,823,992,442	30,229	\$4,477,674,756	27,633	\$4,138,333,122	25,468
5.	Start-Up Business Economic Loss	960	\$147,717,900	921	\$141,351,366	874	\$136,184,385	824
6.	Failed Business Economic Loss	56	\$5,388,575	48	\$4,925,983	38	\$3,323,958	38
7.	Coastal Real Property	29,482	\$163,875,138	28,876	\$158,853,718	28,478	\$157,093,781	22,358
8.	Wetlands Real Property	8,432	\$215,209,396	7,258	\$184,797,572	7,016	\$183,320,081	1,791
9.	Real Property Sales	863	\$40,478,745	859	\$40,431,697	857	\$40,405,448	759
10.	Subsistence	21,311	\$186,235,260	18,462	\$166,018,777	16,909	\$147,474,466	16,909
11.	VoO Charter Payment	7,108	\$282,787,787	7,082	\$280,731,591	7,045	\$279,574,580	5,356
12.	Vessel Physical Damage	818	\$12,497,839	808	\$12,422,486	799	\$12,249,222	744
13.	<b>Totals on DWH Releases</b>	<b>123,041</b>	<b>\$7,629,742,859</b>	<b>114,589</b>	<b>\$7,202,494,152</b>	<b>108,654</b>	<b>\$6,797,370,000</b>	<b>80,578</b>
14.	<b>40% Request</b>					<b>3,310</b>	<b>\$56,359,617</b>	<b>3,310</b>
15.	<b>6% Refund</b>					<b>490</b>	<b>\$1,516,519</b>	<b>490</b>
16.	<b>Total Payments</b>					<b>112,454</b>	<b>\$6,855,246,136</b>	<b>83,897</b>

Table 5	Appeals Received			
	Resolved Appeals			
	Appeal Status	BP Appeals	Claimant Appeals	Total Appeals
1.	Resolved by Panel Decision	2,931	1,730	4,661
2.	Resolved by Parties	1,359	97	1,456
3.	Withdrawn	459	66	525
4.	Administratively Closed	423	90	513
5.	Inactive Under Reconsideration/Re-Review	271	0	271
6.	Remand to Claims Administrator	268	161	429
7.	Return for Review Under Policy 495	1,445	90	1,535
8.	<b>Total</b>	<b>7,156</b>	<b>2,234</b>	<b>9,390</b>
Pending Appeals				
9.	In "Baseball" Process	127	59	186
10.	In "Non-Baseball" Process	0	133	133
11.	Submitted to Panel	195	153	348
12.	Under Discretionary Court Review	86	374	460
13.	<b>Total</b>	<b>408</b>	<b>719</b>	<b>1,127</b>
Grand Total				
14.	<b>Total Appealed Claims</b>	<b>7,564</b>	<b>2,953</b>	<b>10,517</b>

Chart 1: Payments Made by Month

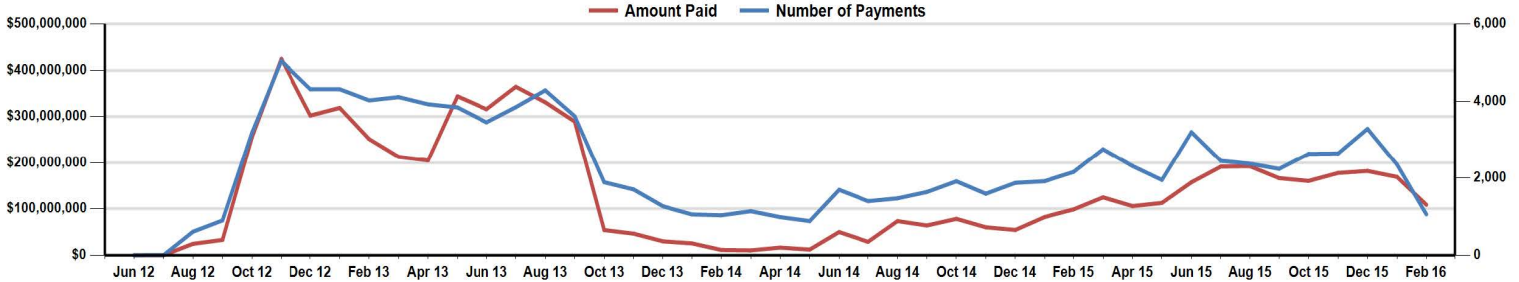
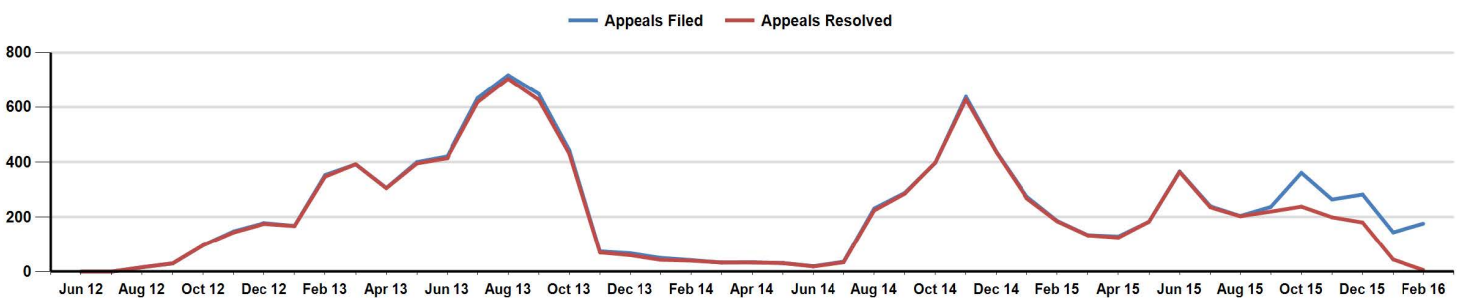


Chart 2: Appeal Resolutions by Month



**Legend:**

1. Form Submitted - Includes electronically filed claim forms after the claimant or his attorney completes the electronic signature and clicks the Submit button. This definition also includes hard copy claim forms where the DWH Intake Team has completed both the linking of scanned images and the data entry on that form.
2. 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.
3. Notices Issued – The Seafood Compensation Program row (row 1) of Table 3 includes Seafood Supplemental Distribution Claims (both Round One and Round Two). The count of Notices Issued in Table 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) Eligibility Notice if the claim has been paid; (2) Most recent active Notice if the claim has not been paid; (3) If the claim has been closed it will not be counted as an Eligibility Notice unless the claim has been paid.
4. 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. The Seafood Compensation Program row (row 1) of Table 4 includes Seafood Supplemental Distribution Claims (both Round One and Round Two).
5. Appeals Received - Excludes Appeals closed pursuant to 4/24/13 Court Order.
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.
7. Note: The Seafood Supplemental Distribution Notices (both Round One and Round Two) are included in the Exhibit A as appropriate.
8. Note: The final deadline for filing all claims other than those that fall into the Seafood Compensation Program was 6/8/15.
9. Note: The total claims received may continue to experience insignificant changes as the CAO continues to process outstanding claims.
10. As to Table 3, the Total Claims Issued Notice figure contains 3,492 Notices of Withdrawal, Closure, and Denial which have previously been issued to claimants prior to the finalization and submissions of their associated Claim Forms. The partially completed Claim Forms associated with these Notices are not included within the total population of Claim Forms Submitted in Table 1.