

**IN THE UNITED STATES DISTRICT COURT
FOR THE 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
	*	
This filing relates to: <i>All Cases</i>	*	District Judge Carl J. Barbier
	*	
(Including Civil Action No. 12-970)	*	Magistrate Judge Shushan
	*	

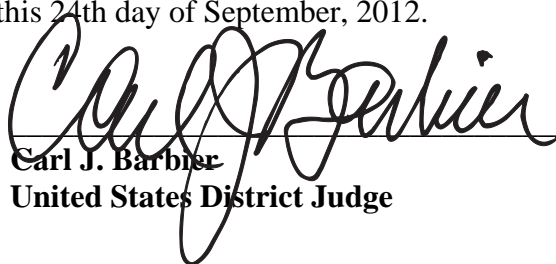
ORDER

**[Approving Procedure for the Processing by the Claims Administrator
of the Deepwater Horizon Economic and Property Damages Settlement Agreement
of Claims on Behalf of Deceased, Minor and Incompetent Claimants]**

CONSIDERING the request by Patrick A. Juneau, the Claims Administrator of the Economic and Property Damages Settlement (the “Claims Administrator”) for entry of an Order in aid of implementation of the Court Supervised Settlement Program, pursuant to this Court’s continuing and exclusive jurisdiction under Section 18.1 of the Economic and Property Damages Settlement Agreement and Paragraph 37 of the May 2, 2012 Preliminary Approval Order (Document No. 6418), and being fully apprised, **IT IS HEREBY ORDERED** as follows:

1. The Procedure submitted by the Claims Administrator is approved as Court-Approved Procedure No. 2, to govern the process by which the Claims Administrator will process and pay claims asserted by the representative’s of Deceased Claimants, Minor Claimants and Incompetent Claimants.
2. This Court retains continuing and exclusive jurisdiction over the interpretation, implementation and enforcement of this Order and of Court Approved Procedure No. 2.

SIGNED at New Orleans, Louisiana, this 24th day of September, 2012.



 Carl J. Barbier
 United States District Judge

DEEPWATER HORIZON ECONOMIC AND PROPERTY DAMAGES SETTLEMENT COURT APPROVED PROCEDURE			
Court Approved Procedure Number	2	Effective Date	September 24, 2012
Subject	Court Approval of the Resolution of Claims on Behalf of Deceased Claimants, Minor Claimants and Incompetent Claimants		

1. *Defined Terms.* All undefined terms used in this Procedure shall have the same meanings given to such terms in the Economic and Property Damages Settlement Agreement (as amended on May 2, 2012) (“Settlement Agreement”).

2. *The Purpose of this Procedure.* This Procedure defines the process by which the Claims Administrator will process and pay the claims of Deceased Claimants, Minor Claimants and Incompetent Claimants.

3. *Federal Court Approval.* If a claim on behalf of a Deceased, Minor or Incompetent Claimant is found payable, the Claims Administrator shall prepare a motion to file with the United States District Court for the Eastern District of Louisiana, requesting that the court issue an order of approval, approving the settlement. The Claims Administrator and the claimant’s representative shall file the motion jointly with the court. The motion shall ask the federal court to enter an order of approval stating that:

- (a) The settlement of the claim for the Award Amount is fair, reasonable and adequate.
- (b) The Claims Administrator shall pay the Award Amount to the claimant’s representative.
- (c) The claimant’s representative shall distribute the Award Amount in accordance with applicable state law.
- (d) The Release signed by the claimant’s representative is fully binding on the claimant and all persons who may claim any damages by or through any relationship with the claimant.
- (e) Any future settlements and payments on claims on behalf of the claimant made in accordance with the Settlement Agreement are approved as fair, reasonable and adequate. The Claims Administrator shall issue payment on such claims to claimant’s representative (or such other person who has certified to the Claims Administrator that he or she has authority to act as the claimant’s representative at such time), and such representative shall distribute such funds in accordance with applicable state law.

4. *Manner and Distribution of Payment.* After the Claims Administrator receives a copy of the federal order of approval and a Release executed by the claimant’s representative, the Claims Administrator shall issue payment to the representative, who shall be responsible for

distributing the funds in accordance with applicable state law. After such payment, the Claims Administrator shall have no further liability to any other person relating to the claim giving rise to this payment or to any future payments made to the representative under the Settlement Agreement.

5. *Implementation of this Procedure.* The Claims Administrator has the discretion to administer any steps necessary to implement this process.

6. *Amendments to this Procedure.* Any amendments to this procedure shall be subject to Court approval.

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**JOINT MOTION FOR APPROVAL OF SETTLEMENT OF CLAIM UNDER THE
ECONOMIC AND PROPERTY DAMAGES SETTLEMENT AGREEMENT**

The authorized representative of Claimant, [Name of Claimant], a [Deceased, Minor or Incompetent] claimant, and the Claims Administrator of the Deepwater Horizon Economic and Property Damages Settlement respectfully move this Court to (1) approve the settlement of the claim filed on behalf of Claimant for [dollar amount of claim] as fair, reasonable and adequate, and (2) approve all future settlements on behalf of Claimant in compliance with the Economic and Property Damages Settlement Agreement as fair, reasonable and adequate.

A proposed Order accompanies this Motion.

[Date]	Respectfully submitted,
/s/ _____	/s/ _____

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Horizon” in the Gulf of Mexico,
On April 20, 2010**

* **MDL No. 2179**
*
* **Section: J**
*
* **Judge Carl J. Barbier**
*
* **Magistrate Judge Sally Shushan**

**ORDER APPROVING SETTLEMENT OF ECONOMIC AND PROPERTY DAMAGES
SETTLEMENT CLAIM**

Now before the Court is the Joint Motion for Approval of Claim Under the Economic and Property Damages Settlement Agreement by the representative of [Claimant’s Name], a [Deceased, Minor, or Incompetent] Claimant (“Claimant”) and the Claims Administrator of the Deepwater Horizon Economic and Property Damage Settlement (“Claims Administrator”).

The Court makes the following findings:

1. The Claimant’s claim was submitted to the Claims Administrator by [Name of Representative] (“Claimant’s Representative”), who has certified that he or she is fully authorized to bring the claim and to resolve it and execute a Release on behalf of the Claimant and all other persons who may claim any damages by or through any relationship with the Claimant (“Derivative Claimants”).

2. The Claims Administrator has reviewed the Claimant’s claim in accordance with the Deepwater Horizon Economic and Property Damages Settlement Agreement (“Settlement Agreement”) and has calculated the Award Amount of [Award Amount \$] (“Award Amount”) as payable on such claim.

3. Claimant’s Representative has accepted the Award Amount as the full resolution

of Claimant's claim and has executed a Full and Final Release, Settlement and Covenant Not to Sue ("Release") on such claim.

Accordingly, the foregoing Motion is GRANTED AND IT IS HEREBY ORDERED AND DECLARED THAT:

1. The settlement of Claimant's claim for the Award Amount is approved as fair, reasonable and adequate.

2. The Claims Administrator shall pay the Award Amount to Claimant's Representative.

3. Claimant's Representative shall distribute such funds in accordance with applicable state law.

4. The Release is fully binding on the Claimant and all Derivative Claimants of the Claimant.

5. Any future settlements and payments on claims on behalf of Claimant made in accordance with the Settlement Agreement are approved as fair, reasonable and adequate. The Claims Administrator shall issue payment on such claims to Claimant's Representative (or such other person who has certified to the Claims Administrator that he or she has authority to act as the Claimant's representative at such time), and such representative shall distribute such funds in accordance with applicable state law.

ORDERED this ____ day of _____, 20__.
