



**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.	11	DATE	July 11, 2013
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**REPORT BY THE CLAIMS ADMINISTRATOR OF THE DEEPWATER HORIZON
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STATUS OF CLAIMS REVIEW**

STATUS REPORT NO. 11, DATED JULY 11, 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 163,253 Registration Forms and 186,001 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 12,020 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, 12% of claimants filed in the Seafood Program, 19% filed Individual Economic Loss



(IEL) Claims, and 34% 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 starting and/or completing 32,429 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	50	+3	71	+2	247	+6
2.	Referred to GADL	10	0	5	0	N/A	N/A
3.	Eligible for Payment	9	0	39	+7	114	+14
4.	Approval Orders Filed	7	+2	29	+7	94	+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”) and the procedure to resolve disputes between a claimant and a Third Party Claimant over a Third Party Claim.



We 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, meaning that the underlying claim and the Third Party Claim are payable, 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. Any disputes over Third Party Claims must be resolved by agreement of the parties or through a dispute resolution process.

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	TPCs ¹ 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	2,414	1,950	366	199	114	421
2.	IRS Levies	483	452	49	50	41	57
3.	Individual Domestic Support Obligations	267	150	79	63	58	68
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	631	271	14	7	3	5
6.	Claims Preparation/Accounting	842	653	36	14	5	10
7.	TOTAL	4,637	3,476	544	333	221	561²

To date, we have removed 1,372 lien holds due to parties releasing their claims or resolving disputes.³

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

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.

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

³ This number may fluctuate due to reassertions of disallowed liens.



in the Program, the outcome of those reviews, and the percentage of claimants that receive Verification Notices after review.

Table 3. Identity Verification Review Activity.					
	Outcome	Claimants Reviewed Since Last Report	Monthly Percentage	Total Claimants Reviewed	Total Percentage
1.	Verified During Review	3,469	80.4%	47,578	78.3%
2.	SSN Notice Issued	11	.3%	2,349	3.9%
3.	ITIN Notice Issued	5	.1%	410	.7%
4.	EIN Notice Issued	828	19.2%	10,405	17.1%
5.	Total Reviewed	4,313	100%	60,742	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
1.	SSN Notice	2,349	1,905	81.1%
2.	ITIN Notice	410	341	83.2%
3.	EIN Notice	10,405	8,626	82.9%
4.	Total Issued	13,164	10,872	82.6%

2. Document Categorization.

Document Categorization is the process by which we classify the documents that claimants submit to the Program. Document Categorization is an initial step in the claims review process where reviewers assign a Document Type to each document received. This is a necessary step in the process to ensure that the intake of information is properly accounted for during the review. On June 28, 2013, we added an optional feature to enhance this process. To better assist claimants and firms in organizing claim documentation and tracking the



documentation that has been submitted, we have enhanced the Upload Document feature on Law Firm Portals within the DWH system to include a Document Type drop-down menu. This allows law firms to assign a Document Type to each document when the firm uploads claimants' documents to the firm Portal. This change helps increase the speed of claims review and improves the efficiency of the Document Categorization portion of our review system.

3. 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 175,000 businesses and rental properties.

From June 11, 2013, through July 10, 2013, the team completed the EVR step for 11,702 businesses and properties. We identified an average of 388 new businesses and properties to review each day and completed the EVR review for an average of 390 businesses and properties each day. We continue to review new businesses and rental properties on a first-in, first-out basis.

4. 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	292	6,653
2.	BP/MDL 2179 Defendant		28	238
3.	US District Court for Eastern District of LA		0	22
4.	Not a Member of the Economic Class	Claims Reviewers	18	195
5.	Bodily Injury		1	4
6.	BP Shareholder		0	7
7.	Transocean/Halliburton Claim		0	0
8.	Governmental Entity	Claims Reviewers/ EVR	29	678
9.	Oil and Gas Industry		64	496
10.	BP-Branded Fuel Entity		7	36
11.	Menhaden Claim	EVR	3	15
12.	Financial Institution		17	199
13.	Gaming Industry		43	636
14.	Insurance Industry		7	145
15.	Defense Contractor		22	307
16.	Real Estate Developer		50	90
17.	Trust, Fund, Financial Vehicle		1	13
18.	Total Denial Notices from Exclusions		582	9,734

5. 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	778	7329	83	734	861	8063	\$1,785,857.14	\$10,820,067.81
2.	IEL	178	1082	24	206	202	1288	\$48,319.04	\$117,817.93
3.	Seafood	144	3443	89	601	233	4044	\$164,413.31	\$1,350,878.58
4.	TOTAL	1100	11854	196	1541	1296	13395	\$1,998,589.49	\$12,288,764.32

6. 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	22,258	21,544	97%	622	92	1,420
2.	IEL	19,375	15,529	80%	1,113	2,733	3,401
3.	BEL	13,450	11,895	88%	326	1,229	2,159
4.	Start-Up BEL	1,177	1,053	89%	36	88	161
5.	Failed BEL	1,543	1,444	94%	20	79	113
6.	Coastal Real Property	16,909	16,834	100%	32	43	914
7.	Real Property Sales	706	706	100%	0	0	43
8.	VoO Charter	7,417	7,411	100%	4	2	83
9.	Subsistence	14,322	4,804	34%	243	9,275	1,778
10.	Wetlands	2,832	2,735	97%	80	17	373
11.	Vessel Physical Damage	901	857	95%	31	13	263
12.	TOTAL	100,890	84,812	84%	2,507	13,571	10,708

7. 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 6/11/13			
		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	24,026	22,586	94%	1,440	6%	90	3	1,250	42
2.	IEL	31,471	28,137	89%	3,334	11%	716	24	2,150	72
3.	IPV/FV	244	226	93%	18	7%	5	0	7	0
4.	BEL	56,519	29,502	52%	27,017	48%	5,430	181	2,921	97
5.	Start-Up BEL	3,758	2,719	72%	1,039	28%	320	11	405	14
6.	Failed BEL	2,716	2,088	77%	628	23%	125	4	101	3
7.	Coastal RP	26,708	25,334	95%	1,374	5%	1,347	45	1,411	47
8.	Wetlands RP	6,350	3,593	57%	2,757	43%	634	21	365	12
9.	RPS	1,256	1,136	90%	120	10%	54	2	73	2
10.	Subsistence	23,321	5,466	23%	17,855	77%	2,113	70	1,426	48
11.	VoO	8,415	8,265	98%	150	2%	57	2	61	2
12.	Vessel	1,217	1,101	90%	116	10%	61	2	80	3
13.	TOTAL	186,001	130,153	70%	55,848	30%	10,952	365	10,250	342
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	5,439	3,775	1,664	1,922	1136	786	2,125	966	1,159
2.	IEL	13,167	8,957	4,210	4,485	2302	2,183	2,142	870	1,272
3.	IPV/FV	80	77	3	29	22	7	26	17	9
4.	BEL	15,793	8,447	7,346	4,534	2706	1,828	2,328	981	1,347
5.	Start-Up BEL	1,437	890	547	620	359	261	239	63	176
6.	Failed BEL	704	436	268	344	186	158	302	141	161
7.	Coastal RP	4,062	3,672	390	1,046	925	121	1,184	884	300
8.	Wetlands RP	238	173	65	42	31	11	322	167	155
9.	RPS	194	184	10	51	47	4	144	117	27
10.	Subsistence	1,718	202	1,516	136	9	127	58	6	52
11.	VoO	854	835	19	350	332	18	580	526	54
12.	Vessel	620	562	58	239	198	41	121	67	54
13.	TOTAL	44,306	28,210	16,096	13,798	8,253	5,545	9,571	4,805	4,766



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 July 10, 2013, we have issued 48,487 Eligibility Notices with Payment Offers totaling over \$3.9 billion. As of that date, we also have made over \$2.76 billion in payments on 38,826 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 264 claimants with active claims who identified an open bankruptcy case on their Registration Forms. We continue to review these claim files to determine whether the claimants have 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 so they can receive payment on their claims. To date, we have removed 296 bankruptcy holds after determining that the bankruptcy is closed and not subject to revocation, or that the claimant submitted the required documents to receive payment.

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 43,372 Eligibility and Denial Notices issued from which claimants can seek Re-Review. Of those, 3,946 are still within the 30 day window to seek Re-Review and have not yet done so, leaving 39,426 that have passed the window for seeking Re-Review. Of those, claimants have asked for Re-Review of 2,115 claims. Thus, the rate of Re-Review from all final determinations is 5.4%. The rate of Re-Review from Eligibility Notices is 4% and the rate of Re-Review from Denial and Incompleteness Denial Notices is 10%.

Table 9 summarizes the Re-Reviews Reviews we have completed, the number of Post-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	503	229	15	8
2.	IEL	200	21	2	1
3.	IPV/FV	8	0	0	0
4.	BEL	651	147	1	5
5.	Start-Up BEL	28	5	0	0
6.	Failed BEL	61	42	0	1
7.	Coastal	375	329	14	11
8.	Wetlands	157	139	0	5
9.	Real Property Sales	26	22	0	1
10.	Subsistence	50	11	0	1
11.	VoO	34	34	1	1
12.	Vessel	22	11	0	1
13.	TOTAL	2,115	990	33	35

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	268	9	153	4	96	11	1
2.	IEL	14	0	4	1	0	9	0
3.	IPV/FV	8	0	0	0	0	8	0
4.	BEL	425	14	111	13	55	220	12
5.	Start-Up BEL	15	1	9	0	2	4	0
6.	Failed BEL	37	1	0	0	0	36	0
7.	Coastal	265	9	31	3	40	195	4
8.	Wetlands	78	3	2	0	1	76	1
9.	Real Property Sales	19	1	0	0	1	17	0
10.	Subsistence	2	0	1	0	1	0	0
11.	VoO	34	1	7	5	11	11	2
12.	Vessel	11	1	7	0	2	3	1
13.	TOTAL	1,176	40	325	26	209	590	21



2. Reconsideration Reviews and Outcomes.

To date, there have been 88,550 Eligibility, Denial and Incompleteness Denial Notices issued from which claimants can seek Reconsideration. Of those, 8,750 are still within the 30 day window to seek Reconsideration and have not yet done so, leaving 79,800 that have passed the window for seeking Reconsideration. Of those, claimants have asked for Reconsideration of 9,571 claims. Thus, the rate of Reconsideration from all final determinations is 12.0%. The rate of Reconsideration from Eligibility Notices is 6% and the rate of Reconsideration from Denial and Incompleteness Denial Notices is 21%.

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	2,125	1,111	25	21
2.	IEL	2,142	1,052	54	20
3.	IPV/FV	26	5	0	<1
4.	BEL	2,328	1,106	65	21
5.	Start-Up BEL	239	76	7	1
6.	Failed BEL	302	164	9	3
7.	Coastal	1,184	982	26	19
8.	Wetlands	322	190	1	4



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	144	132	5	3			
10.	Subsistence	58	23	0	<1			
11.	VoO	580	532	1	10			
12.	Vessel	121	76	5	1			
13.	TOTAL	9,571	5,449	198	105			
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	966	18	446	56	247	214	3
2.	IEL	870	17	58	85	41	683	3
3.	IPV/FV	17	<1	0	0	0	17	0
4.	BEL	981	19	271	43	135	506	26
5.	Start-Up BEL	63	1	8	2	11	41	1
6.	Failed BEL	141	3	0	0	0	141	0
7.	Coastal	884	17	72	19	299	480	14
8.	Wetlands	167	3	14	1	20	119	13
9.	Real Property Sales	117	2	0	0	3	112	2
10.	Subsistence	6	<1	0	0	1	5	0
11.	VoO	526	10	59	3	119	304	41
12.	Vessel	67	1	38	2	8	18	1
13.	TOTAL	4,805	92	966	211	884	2,640	104

3. Appeals.

(a) BP Appeals.

To date, we have issued 15,008 Eligibility Notices that meet or exceed the threshold amounts rendering them eligible for BP to appeal. Of those, 391 are still within the time for BP to appeal, leaving 14,617 that have passed the window for BP to consider whether to appeal. Of



those 14,617, BP has appealed 2,026, or only 13.9%. However, out of the 2,026 claims BP has appealed, they have subsequently withdrawn 154 appeals, and another 654 have been resolved for the same or greater amount of the Eligibility Notice. Thus, out of the 2,026 claims BP has appealed, 808 have either been withdrawn or resolved, confirming that the outcome of the review was correct. If we remove those 808 from the 2,026 BP has appealed to arrive at a more realistic “rate of disagreement” BP has with our results, that leaves 1,218 claims out of 14,617 or a 8.3% 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 6/10/13	Since Last Report	Total
1.	BP Appeals Filed	1,699	327	2,026
2.	Appeals Resolved	932	383	1,315
(a)	Withdrawn	152	2	154
(b)	Panel Decided	445	328	773
(c)	Settled by Parties	260	17	277
(d)	Remanded by Panel	35	25	60
(e)	Administratively Closed	7	0	7
(f)	Closed for Reconsideration Review	33	11	44
B. Pending Appeals				
3.	In Pre-Panel Baseball Process		525	
4.	Currently Before Panel		186	
5.	TOTAL PENDING		711	

(b) Claimant Appeals.

Before a claimant may appeal, he must seek Reconsideration and receive a Post-Reconsideration Notice. To date, we have issued 4,805 Post-Reconsideration Notices. Of those, 840 are still within the time for the claimant to appeal, leaving 3,965 that have passed the window for the claimant to consider whether to appeal. Of those 3,965, claimants have appealed



621 claims, or 15.6%. Of the 621 Claimant Appeals, 368 are appeals of Post-Reconsideration Denial Notices and 253 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 6/10/13	Since Last Report	Total
1.	Claimant Appeals Filed	489	132	621
2.	Appeals Resolved	292	71	363
(a)	Panel Decided	235	63	298
(b)	Settled by Parties	27	5	32
(c)	Remanded by Panel	6	1	7
(d)	Administratively Closed	4	2	6
(e)	Withdrawn	20	0	20
B. Pending Appeals				
3.	In Pre-Panel Baseball Process	94		
4.	In Pre-Panel Non-Baseball Process	124		
5.	Currently Before Panel	40		
6.	TOTAL PENDING	258		

(c) Resolved Appeals.

As reported in the tables above, 1,678 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	20	87	14	7	1	4	39	3	7	182
2.	BEL	642	204	57	63	20	49	101	5	35	1,176



		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				
3.	Wetlands Real Property	0	1	2	7	0	0	2	0	1	13
4.	Coastal Real Property	0	4	7	12	0	2	4	1	0	30
5.	Real Property Sales	1	2	2	17	0	0	2	1	0	25
6.	VoO Charter Payment	21	32	16	35	21	6	18	2	0	151
7.	IEL	9	17	5	27	2	1	4	1	1	67
8.	VPD	14	10	0	1	0	5	4	0	0	34
9.	Total	707	357	103	169	44	67	174	13	44	1,678

II. CLAIMANT OUTREACH EFFORTS

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

A. Law Firm Contacts.

The Law Firm Contacts team continues to increase their outreach efforts related to several damage categories related to incompleteness reasons. Firm Contacts made law firms aware of updates to the Pending Deadlines Report on the Attorney Portal. The report now includes a short description of the Incompleteness Reasons identified for claims with pending deadlines. This addition to the report allows attorneys to quickly view the reasons a claim is incomplete. Firm Contacts also conducted outreach to firms with claimants with incomplete



claim forms and registration forms. Firm Contacts continue to facilitate conference calls held in collaboration with the accountants to efficiently address documentation requirements and resolve outstanding Program questions.

B. Communications Center (CCC).

The CCC continues to contribute to Claimant Outreach efforts by working directly with each damage category. The CCC conducts outreach campaigns to address specific claim issues such as reclassification of filed claims and incomplete payment documentation. The CCC also completes outreach to claimants who emailed the Program with questions or status inquiries.

C. Claimant Assistance Centers (CACs).

The Claimant Outreach Program (COP) continues at the CACs. To date, the COP has completed over 53,000 outreach calls to claimants. The CACs continues outreach efforts to claimants with incomplete claims across all damage categories, and claimants who started claim forms on the Portal but have not yet submitted them. In addition to these outreach efforts, the team called claimants who are approaching the 180 day deadline to file additional claims.

D. Summary of Outreach Calls.

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

Table 14. Outreach Call Volume (As of 7/11/13)							
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	53,594	20,874	15,496	74%	7,734	37%
2.	Garden City Group	47,697	7,236	5,018	69%	507	7%
3.	P&N	17,027	4,225	3,520	83%	117	3%
4.	PWC	776	319	293	92%	8	3%
5.	Total	119,094	32,654	24,327	74%	8,366	26%



III. 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 11th day of July, 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	864	30,895	31,759	19%	1,667	35,347	37,014	19%
2.	Florida	2,076	55,964	58,040	34%	5,112	57,427	62,539	32%
3.	Louisiana	1,666	38,354	40,020	24%	2,573	49,741	52,314	26%
4.	Mississippi	552	20,208	20,760	12%	925	22,000	22,925	12%
5.	Texas	252	8,692	8,944	5%	693	7,931	8,624	4%
6.	Other	1,025	9,140	10,165	6%	1,050	13,555	14,605	7%
7.	Total	6,435	163,253	169,688	100%	12,020	186,001	198,021	100%

Chart 1: Filings by State of Residence

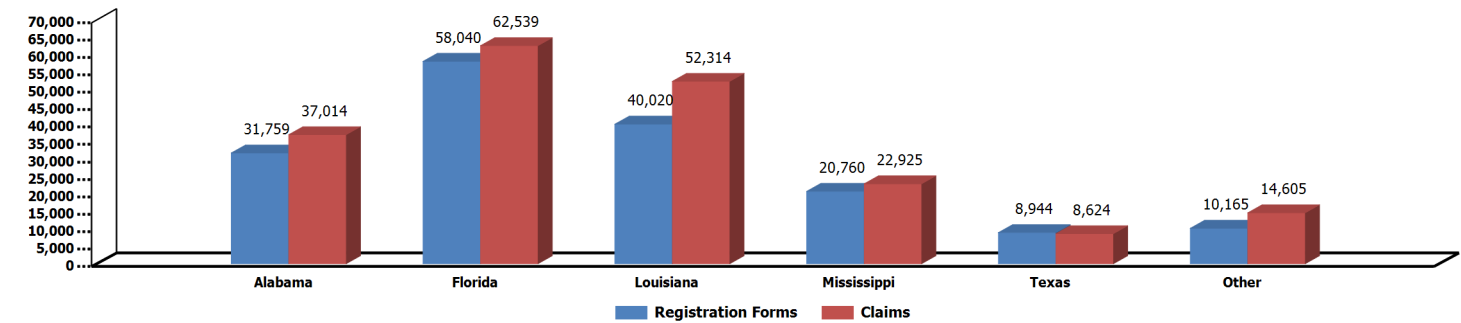


Table 2	Number of Claims by Claim Type					
	Claim Type	Claims				Unique Claimants with Form Submitted
		Form Begun	Form Submitted	Total	%	
1.	Seafood Compensation Program	420	24,026	24,446	12%	10,292
2.	Individual Economic Loss	6,363	31,471	37,834	19%	31,409
3.	Individual Periodic Vendor or Festival Vendor Economic Loss	146	244	390	<1%	244
4.	Business Economic Loss	2,485	56,519	59,004	30%	48,954
5.	Start-Up Business Economic Loss	256	3,758	4,014	2%	3,307
6.	Failed Business Economic Loss	256	2,716	2,972	2%	2,536
7.	Coastal Real Property	833	26,708	27,541	14%	18,821
8.	Wetlands Real Property	189	6,350	6,539	3%	1,982
9.	Real Property Sales	185	1,256	1,441	1%	1,007
10.	Subsistence	724	23,321	24,045	12%	23,321
11.	VoO Charter Payment	100	8,415	8,515	4%	5,988
12.	Vessel Physical Damage	63	1,217	1,280	1%	1,062
13.	Total	12,020	186,001	198,021	100%	135,568

Chart 2: Number of Claims by Claim Type

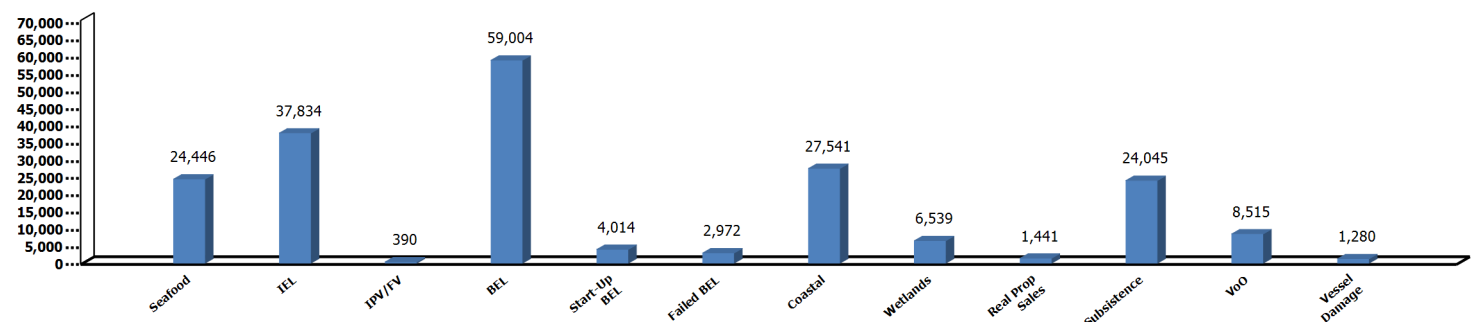


Table 3	Filings by Claimant Assistance Center								
	Claimant Assistance Center	Registration Forms				Claims			
		Form Begun	Form Submitted	Total	%	Form Begun	Form Submitted	Total	%
1.	Apalachicola, FL	28	1,359	1,387	5%	37	1,901	1,938	6%
2.	Bay St. Louis, MS	10	592	602	2%	30	732	762	2%
3.	Bayou La Batre, AL	21	970	991	4%	47	1,100	1,147	4%
4.	Biloxi, MS	38	1,321	1,359	5%	65	1,605	1,670	5%
5.	Bridge City, TX	2	337	339	1%	15	590	605	2%
6.	Clearwater, FL	73	2,188	2,261	8%	368	1,704	2,072	5%
7.	Cut Off, LA	14	431	445	2%	26	588	614	2%
8.	Fort Walton Beach, FL	11	1,265	1,276	5%	51	1,734	1,785	6%
9.	Grand Isle, LA	5	147	152	1%	5	235	240	1%
10.	Gretna/Harvey, LA	39	1,991	2,030	7%	49	2,037	2,086	7%
11.	Gulf Shores, AL	19	1,976	1,995	7%	67	2,611	2,678	8%
12.	Houma, LA	24	764	788	3%	40	975	1,015	3%
13.	Lafitte, LA	4	292	296	1%	12	396	408	1%
14.	Mobile, AL	63	6,265	6,328	24%	194	6,740	6,934	22%
15.	Naples, FL	25	1,239	1,264	5%	35	1,150	1,185	4%
16.	New Orleans – CBD BG, LA	15	335	350	1%	22	346	368	1%
17.	New Orleans East, LA	45	1,931	1,976	7%	104	2,260	2,364	7%
18.	Panama City Beach, FL	22	1,903	1,925	7%	94	2,875	2,969	9%
19.	Pensacola, FL	24	1,242	1,266	5%	65	1,524	1,589	5%
20.	Total	482	26,548	27,030	100%	1,326	31,103	32,429	100%

Chart 3: Number of Claims by Claimant Assistance Center

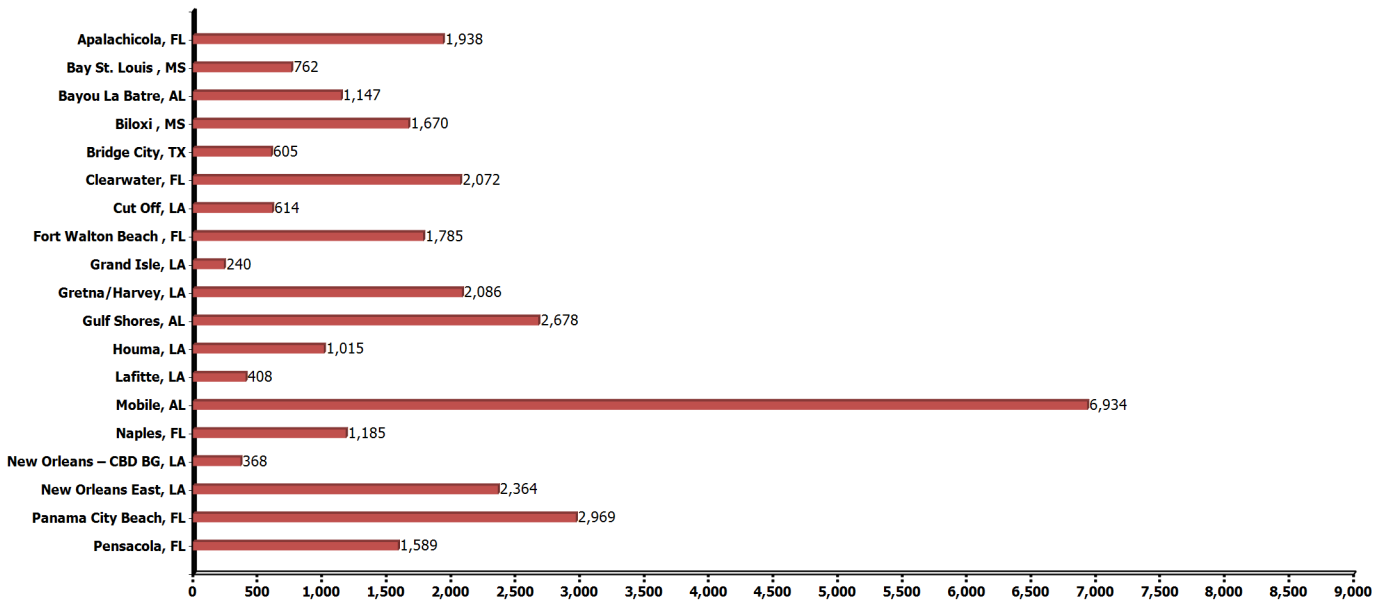


Table 4	Claim Type	Notices Issued											Total Claims Issued Notice
		Eligible - Payable	Eligible - No Payment	Incomplete	Denial					Opt-Outs	Withdrawn	Closed	
					Exclusion Denials	Prior GCCF Release	Causation Denials	Other Denials	Incomplete Denials				
1.	Seafood Compensation Program	7,763	1,120	3,895	41	2,467	0	321	2,781	1,183	2,386	694	22,651
2.	Individual Economic Loss	2,206	558	10,925	2,288	1,796	46	718	8,008	526	339	1,190	28,600
3.	Individual Periodic Vendor or Festival Vendor Economic Loss	6	0	30	3	22	0	45	98	2	33	11	250
4.	Business Economic Loss	8,957	185	12,034	514	473	2,073	79	3,544	580	380	760	29,579
5.	Start-Up Business Economic Loss	391	15	1,328	50	36	43	33	603	65	53	108	2,725
6.	Failed Business Economic Loss	18	14	588	44	87	136	503	480	63	37	124	2,094
7.	Coastal Real Property	18,197	22	912	4	557	0	3,182	1,086	145	203	1,110	25,418
8.	Wetlands Real Property	1,888	2	100	8	47	0	1,049	15	11	122	358	3,600
9.	Real Property Sales	449	0	31	4	42	22	441	42	5	21	87	1,144
10.	Subsistence	1,060	1	2,952	9	1,074	0	8	141	148	49	35	5,477
11.	VoO Charter Payment	6,894	16	64	10	0	0	549	611	25	45	68	8,282
12.	Vessel Physical Damage	658	11	203	4	0	0	53	109	12	15	39	1,104
13.	Total	48,487	1,944	33,062	2,979	6,601	2,320	6,981	17,518	2,765	3,683	4,584	130,924

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	7,763	\$1,004,110,069	5,908	\$907,433,470	5,282	\$897,103,871	3,299
2.	Individual Economic Loss	2,206	\$26,510,644	1,634	\$20,271,412	1,325	\$15,804,496	1,325
3.	Individual Periodic Vendor or Festival Vendor Economic Loss	6	\$49,530	6	\$49,530	5	\$38,396	5
4.	Business Economic Loss	8,957	\$2,303,895,609	8,047	\$2,012,787,044	6,803	\$1,335,403,898	6,563
5.	Start-Up Business Economic Loss	391	\$105,788,871	339	\$81,600,298	304	\$50,988,469	291
6.	Failed Business Economic Loss	18	\$2,099,258	10	\$1,545,355	4	\$655,806	4
7.	Coastal Real Property	18,197	\$109,719,259	16,776	\$102,201,349	15,341	\$90,210,015	12,171
8.	Wetlands Real Property	1,888	\$92,945,220	1,639	\$73,759,198	1,549	\$72,190,177	682
9.	Real Property Sales	449	\$23,904,706	432	\$23,465,295	412	\$22,809,820	386
10.	Subsistence	1,060	\$8,623,802	824	\$7,025,251	653	\$5,703,082	653
11.	VoO Charter Payment	6,894	\$276,724,841	6,755	\$271,502,056	6,625	\$268,760,599	5,063
12.	Vessel Physical Damage	658	\$11,048,245	596	\$10,350,981	523	\$8,022,049	492
13.	Total	48,487	\$3,965,420,053	42,966	\$3,511,991,238	38,826	\$2,767,690,679	28,662

Table 6	Appeals Received			
	Resolved Appeals			
	Appeal Status	BP Appeals	Claimant Appeals	Total Appeals
1.	Decided by Appeal Panel	786	298	1,084
2.	Settled by Parties	278	33	311
3.	Withdrawn	155	20	175
4.	Administratively Closed	7	6	13
5.	Inactive Under Reconsideration/Re-Review	43	0	43
6.	Remand to Claims Administrator	63	8	71
7.	Total	1,332	365	1,696
Pending Appeals				
8.	In "Baseball" Process	532	95	627
9.	In "Non-Baseball" Process	0	125	125
10.	Submitted to Panel	170	38	208
11.	Total	702	258	960
Grand Total				
12.		2,034	623	2,657

Chart 4: Registration and Claim Forms Filed by Month

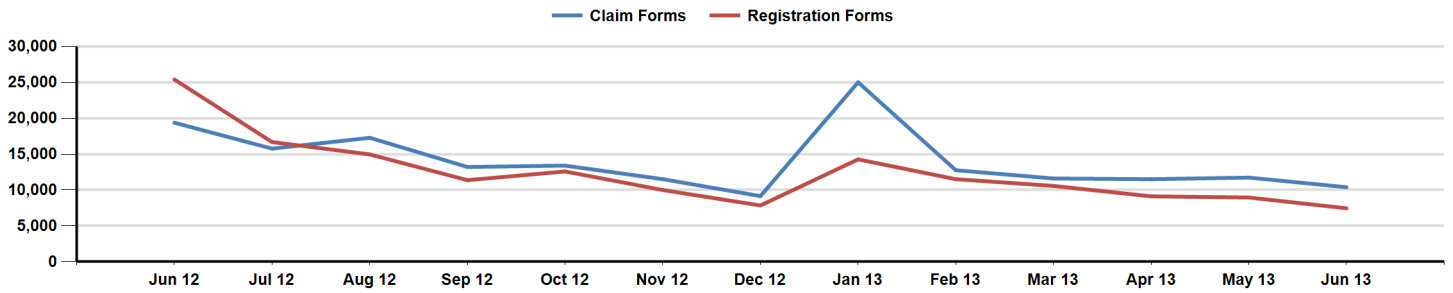


Chart 5: Notices Issued by Month

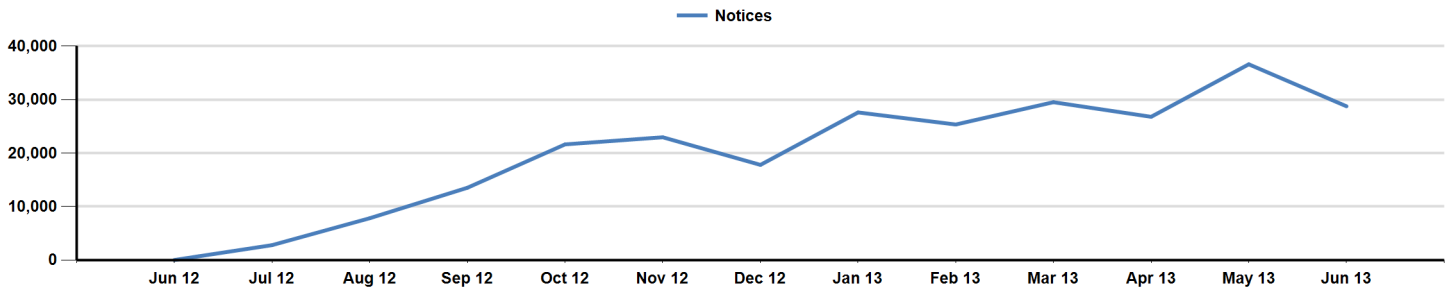


Chart 6: Payments Made by Month

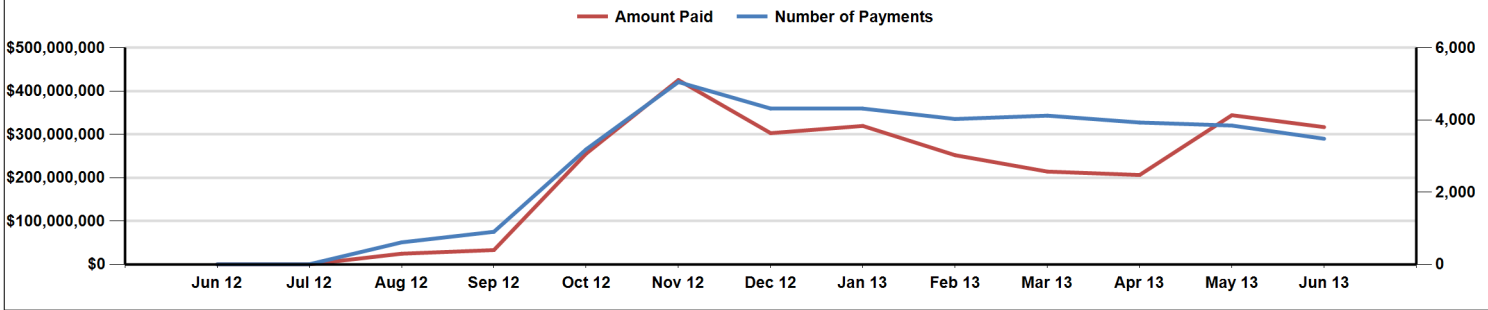
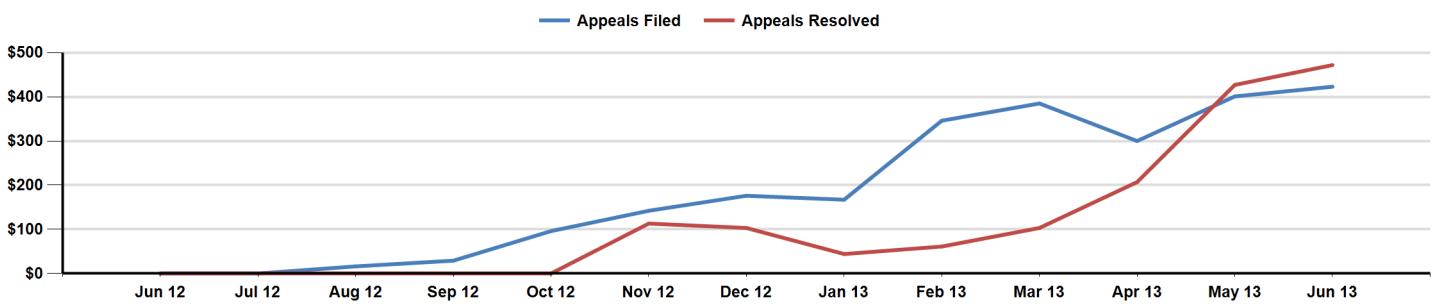


Chart 7: Appeal Resolutions by Month



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. The count of Notices Issued in Chart 5, counts all Notices Issued and reports claims with multiple Notices once for each Notice issued. Because of this, the totals reported in Table 4 do not match the totals reported in Chart 5.
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.