



**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.

14

DATE

October 15, 2013

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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. 14, DATED OCTOBER 15, 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 status of the implementation of the Settlement Agreement as of October 10, 2013. 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 183,594 Registration Forms and 217,032 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 Exhibit A. Claimants have begun but not fully completed and submitted 12,280 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, 11% of claimants filed in the Seafood Program, 18% filed Individual Economic Loss (IEL) Claims, and 35% filed Business Economic Loss (BEL) Claims (including Start-up and Failed BEL Claims). *See* Ex. A, Table 2. DWH staff at the Claimant Assistance Centers assisted in starting and/or completing 34,911 of these Claim Forms. *See* Ex. 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	54	+3	82	+3	300	+20
2.	Referred to GADL	5	-3	3	-1	N/A	N/A
3.	Eligible for Payment	10	+1	45	+1	152	+12
4.	Approval Orders Filed	8	0	39	+3	127	+21

3. Third Party Claims.

The Claims Administrator receives, processes and pays 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”) in accordance with Court Approved Procedure Order No. 1 (as entered September 9, 2012, and amended March 11, 2013) (“CAP”).

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 send a Notice of Third Party Claim Dispute to all parties involved in a Valid Third Party Claim that is disputed. If the claimant and third party claimant are unable to resolve their dispute by agreement and the dispute is over a Third Party Claim for attorney fees or fees associated with work performed in connection with a Settlement Program claim, they may participate in the Third Party Claims Dispute Resolution Process and will receive a Request for Third Party Claim Dispute Resolution Form with the Notice of Third Party Claim Dispute. To date, we have sent approximately 80 Notices of Third Party Claim Dispute to parties with eligible Disputes to notify them that they may submit a Request Form if they are unable to resolve their Dispute by agreement. Parties have submitted Request Forms for approximately one-third of these eligible Disputes.

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	2,494	2,026	391	224	143	481
2.	IRS Levies	575	532	54	55	57	70
3.	Individual Domestic Support Obligations	309	185	90	73	67	82
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	678	287	15	8	3	5
6.	Claims Preparation/Accounting	1,570	1,367	42	21	8	14
7.	TOTAL	5,626	4,397	592	381	278	652²

To date, we have removed 1,835 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.

Our Tax Identity Number (TIN) verification review is the first step in the DWH claims review process. The Claimant Identity Team has initiated verifications for 156,748 claimants.

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 the Settlement Payment. A TPC can be asserted against one or more Settlement Program Claims. For these reasons, this total may not be equal to the total of the two preceding columns.

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

Of those, we matched the TIN and claimant's name to public records databases and verified identity for 86,852 claimants from the initial query through LexisNexis and/or D&B. Initially, 69,896 claimants' information could not be matched to the public records databases and we reviewed these claims to determine if we can identify name changes or typographical errors and re-queried these claims through public searches to resolve 54,914 claimants' records and verified the identity. After this initial review, we could still not match 14,982 claimants' data to public records databases and issued Notices to claimants asking for official documentation from the Internal Revenue Service or Social Security Administration that confirms the claimant's TIN. Of these, 12,857 claimants have submitted information/documents that helped confirm the claimants' information and verify the identity. Of the remaining 2,125 claimants whose identity has not yet been verified, 654 are still within the time period to respond to the Notice. Of the 654 still within the time period, 46 responded to the Notice and are under review to determine if we can verify the identity. Of the remaining 1,471, 1,174 responded to the Notice but the response did not help verify the identity – 25 after the initial and 1,148 after the follow up Notice -- and 297 did not respond to the Notice and their time to respond has passed.

The table below contains information on the number of claimants that were verified during an initial Identity Verification review, and the type and number of TIN Verification Notices issued when we could not verify identity after the initial review.

Table 3. Identity Verification Review Activity.					
	Outcome	Claims Reviewed Since Last Report	Monthly Percentage	Total Claims Reviewed	Total Percentage
1.	Verified During Review	2,390	78.8%	54,914	78.4%
2.	SSN Notice Issued	40	1.3%	2,404	3.4%
3.	ITIN Notice Issued	6	.2%	421	.6%
4.	EIN Notice Issued	598	19.7%	12,347	17.6%
5.	Total Reviewed	3,034	100%	70,086	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	Days to Cure
1.	SSN Notice	2,404	1,982	82.4%	48
2.	ITIN Notice	421	358	85.0%	29
3.	EIN Notice	12,347	10,637	86.2%	32
4.	Total Issued	15,172	12,977	85.5%	36

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 200,000 businesses and rental properties.

From September 11, 2013, through October 10, 2013, the team completed the EVR step for 7,572 businesses and properties. We identified an average of 263 new businesses and properties to review each day and completed the EVR review for an average of 252 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	81	7,175
2.	BP/MDL 2179 Defendant		13	276
3.	US District Court for Eastern District of LA		0	23
4.	Not a Member of the Economic Class	Claims Reviewers	4	225
5.	Bodily Injury		2	6
6.	BP Shareholder		0	8
7.	Transocean/Halliburton Claim		0	0
8.	Governmental Entity	Claims Reviewers/ EVR	15	729
9.	Oil and Gas Industry		99	678
10.	BP-Branded Fuel Entity		2	40
11.	Menhaden Claim	EVR	0	15
12.	Financial Institution		10	241
13.	Gaming Industry		8	677
14.	Insurance Industry		7	175
15.	Defense Contractor		2	338
16.	Real Estate Developer		25	193
17.	Trust, Fund, Financial Vehicle		0	14
18.	Total Denial Notices from Exclusions		268	10,813

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	797	10,017	85	968	882	10,985	\$1,285,555.96	\$15,606,759.53
2.	IEL	232	1,932	46	323	278	2,255	\$34,583.17	\$262,050.48
3.	Seafood	78	3,638	0	715	78	4,353	\$33,647.08	\$1,483,366.91
4.	TOTAL	1,107	15,587	131	2,006	1,238	17,593	\$1,353,786.21	\$17,352,176.92

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	24,245	23,868	98%	304	73	604
2.	IEL	23,750	22,083	93%	1,001	666	1,465
3.	BEL	20,318	17,822	88%	354	2,142	2,969
4.	Start-Up BEL	1,662	1,466	88%	25	171	205
5.	Failed BEL	1,857	1,726	93%	11	120	140
6.	Coastal Real Property	18,759	18,741	100%	2	16	429
7.	Real Property Sales	758	758	100%	0	0	14
8.	VoO Charter	7,609	7,604	100%	3	2	43
9.	Subsistence	26,248	16,969	61%	1,638	8,641	5,316
10.	Wetlands	3,508	3,369	96%	39	100	162
11.	Vessel Physical Damage	1,244	1,232	99%	3	9	108
12.	TOTAL	129,958	114,638	88%	3,380	11,940	11,455

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 9/11/13			
		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	24,281	23,740	98%	541	2%	68	2	636	21
2.	IEL	33,986	31,345	92%	2,641	8%	832	28	1,009	34
3.	IPV/FV	263	244	93%	19	7%	2	0	5	0
4.	BEL	71,765	40,727	57%	31,038	43%	4,396	147	3,688	123
5.	Start-Up BEL	4,369	3,341	76%	1,028	24%	211	7	246	8
6.	Failed BEL	3,025	2,552	84%	473	16%	100	3	186	6
7.	Coastal RP	30,021	29,462	98%	559	2%	895	30	1,335	45
8.	Wetlands RP	8,835	4,621	52%	4,214	48%	1,425	48	253	8
9.	RPS	1,366	1,338	98%	28	2%	31	1	96	3
10.	Subsistence	29,180	9,800	34%	19,380	66%	2,106	70	1,590	53
11.	VoO	8,576	8,511	99%	65	1%	35	1	123	4
12.	Vessel	1,365	1,304	96%	61	4%	24	1	67	2
13.	TOTAL	217,032	156,985	72%	60,047	28%	10,125	338	9,234	308
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	5,733	4,975	758	2,563	2044	519	3,140	2,456	684
2.	IEL	14,669	12,258	2,411	6,624	4779	1,845	3,584	2,820	764
3.	IPV/FV	84	80	4	32	29	3	35	32	3
4.	BEL	21,025	13,186	7,839	7,421	4414	3,007	3,676	2,326	1,350
5.	Start-Up BEL	1,877	1,328	549	968	601	367	384	203	181
6.	Failed BEL	823	610	213	464	286	178	401	280	121
7.	Coastal RP	4,552	4,394	158	1,235	1192	43	1,430	1,303	127

Table 8. Throughput Analysis of Claims Filed and Notices Issued

8.	Wetlands RP	301	219	82	51	43	8	449	332	117
9.	RPS	219	215	4	61	60	1	166	163	3
10.	Subsistence	3,847	436	3,411	559	31	528	98	48	50
11.	VoO	878	860	18	364	352	12	598	588	10
12.	Vessel	714	679	35	307	283	24	172	158	14
13.	TOTAL	54,722	39,240	15,482	20,649	14,114	6,535	14,133	10,709	3,424

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 Exhibit A provide detail on the notices and payments issued to date. As of October 10, 2013, we have issued 58,725 Eligibility Notices with Payment Offers totaling over \$4.9 billion. As of that date, we also have made over \$3.7 billion in payments on 50,132 claims.

2. Claimants in Bankruptcy.

We have issued Bankruptcy Notices to 295 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 700 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 58,496 Eligibility and Denial Notices issued from which claimants can seek Re-Review. Of those, 2,272 are still within the 30 day window to seek Re-Review and have not yet done so, leaving 56,224 that have passed the window for seeking Re-Review. Of those, claimants have asked for Re-Review of 3,930 claims. Thus, the rate of Re-Review from all final determinations is 7.0%. The rate of Re-Review from Eligibility Notices is 4% and the rate of Re-Review from Denial and Incompleteness Denial Notices is 13%.

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

Table 9. Re-Reviews					
A. Re-Review Requests and Reviews					
	Claim Type	Requests Received To Date	Reviews Completed To Date		
			Total	Completed Since Last Report	Average Weekly Reviews
1.	Seafood	717	624	9	13
2.	IEL	527	426	13	9
3.	IPV/FV	9	9	0	0
4.	BEL	1,451	1,211	19	24
5.	Start-Up BEL	99	73	0	2
6.	Failed BEL	131	92	0	2
7.	Coastal	564	553	27	11
8.	Wetlands	236	220	4	5

9.	Real Property Sales	37	37	0	1			
10.	Subsistence	62	42	2	1			
11.	VoO	54	48	3	1			
12.	Vessel	43	41	1	1			
13.	TOTAL	3,930	3,376	78	70			
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	Overturned
1.	Seafood	547	11	299	12	176	49	4
2.	IEL	371	7	92	13	106	149	2
3.	IPV/FV	9	0	0	0	0	9	0
4.	BEL	1,011	20	260	11	84	613	10
5.	Start-Up BEL	68	2	17	0	5	43	0
6.	Failed BEL	86	2	1	0	0	82	0
7.	Coastal	399	8	54	3	78	262	12
8.	Wetlands	149	3	3	1	4	141	1
9.	Real Property Sales	25	1	1	0	1	23	0
10.	Subsistence	30	1	1	0	1	28	0
11.	VoO	48	1	9	5	16	18	2
12.	Vessel	39	1	20	0	11	8	1
13.	TOTAL	2,782	57	757	45	482	1,425	32

2. Reconsideration Reviews and Outcomes.

To date, there have been 115,337 Eligibility, Denial and Incompleteness Denial Notices issued from which claimants can seek Reconsideration. Of those, 5,324 are still within the 30 day window to seek Reconsideration and have not yet done so, leaving 110,013 that have passed the window for seeking Reconsideration. Of those, claimants have asked for Reconsideration of 14,133 claims. Thus, the rate of Reconsideration from all final determinations is 12.8%. 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								
A. Reconsideration Requests and Reviews								
	Claim Type	Requests Received To Date	Reviews Completed To Date					
			Total	Completed Since Last Report	Average Weekly Reviews			
1.	Seafood	3,140	2,558	72	36			
2.	IEL	3,584	3,051	134	43			
3.	IPV/FV	35	32	0	<1			
4.	BEL	3,676	2,169	14	31			
5.	Start-Up BEL	384	173	1	2			
6.	Failed BEL	401	286	4	4			
7.	Coastal	1,430	1,339	8	19			
8.	Wetlands	449	356	58	5			
9.	Real Property Sales	166	166	1	2			
10.	Subsistence	98	72	5	1			
11.	VoO	598	595	7	8			
12.	Vessel	172	162	5	2			
13.	TOTAL	14,133	10,959	309	156			
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	Overturned
1.	Seafood	2,456	35	640	98	396	1,318	4
2.	IEL	2,820	40	93	209	83	2,430	5
3.	IPV/FV	32	<1	0	0	0	32	0
4.	BEL	2,326	33	351	92	187	1,659	37
5.	Start-Up BEL	203	3	11	9	13	167	3

Table 10. Reconsideration								
6.	Failed BEL	280	4	0	4	1	275	0
7.	Coastal	1,303	18	92	22	343	831	15
8.	Wetlands	332	5	20	1	25	273	13
9.	Real Property Sales	163	2	1	0	3	157	2
10.	Subsistence	48	<1	0	0	1	47	0
11.	VoO	588	8	59	4	119	364	42
12.	Vessel	158	2	47	4	13	93	1
13.	TOTAL	10,709	151	1,314	443	1,184	7,646	122

3. Appeals.

(a) BP Appeals.

To date, we have issued 17,904 Eligibility Notices that meet or exceed the threshold amounts rendering them eligible for BP to appeal. Of those, 193 are still within the time for BP to appeal and BP has not yet appealed them, leaving 17,711 that BP has either appealed or the window has passed for BP to consider whether to appeal. Of those 17,711, BP has appealed 3,690 claims, or only 20.8%. However, out of the 3,690 claims BP has appealed, BP has subsequently withdrawn 263 appeals, and another 1,218 have been resolved for the same or greater amount than the Eligibility Notice (not including the 5% increases that claimants who prevail upon appeal receive). Thus, out of the 3,690 claims BP has appealed, 1,481 have either been withdrawn or resolved. If we remove those 1,481 from the 3,690 BP has appealed to arrive at a more realistic “rate of disagreement” BP has with our results, that leaves 2,209 claims out of 17,711, or a 12.5% 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 9/10/13	Since Last Report	Total
1.	BP Appeals Filed	3,176	514	3,690
2.	Appeals Resolved	2,014	390	2,404
(a)	Withdrawn	220	43	263
(b)	Panel Decided	1,301	201	1,502
(c)	Settled by Parties	346	60	406
(d)	Remanded by Panel	75	22	97
(e)	Administratively Closed	7	1	8
(f)	Closed for Reconsideration Review	65	63	128
B. Pending Appeals				
3.	In Pre-Panel Baseball Process		718	
4.	Currently Before Panel		465	
5.	Under Discretionary Review		103	
6.	TOTAL PENDING		1,286	

(b) Claimant Appeals.

Before a claimant may appeal, he must seek Reconsideration and receive a Post-Reconsideration Notice. To date, we have issued 9,500 Post-Reconsideration Notices (excluding Post-Reconsideration Incompleteness Denial Notices, which are covered in paragraph (d) below). Of those, 1,476 are still within the time for the claimant to appeal and the claimant has not yet appealed, leaving 8,024 that the claimant has either appealed or the window has passed for the claimant to consider whether to appeal. Of those 8,024, claimants have appealed 922 claims, or 11.5%. Of the 922 claimant appeals, 562 are appeals of Post-Reconsideration Denial Notices and 360 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 9/10/13	Since Last Report	Total
1.	Claimant Appeals Filed	861	61	922
2.	Appeals Resolved	448	146	594
(a)	Panel Decided	368	116	484
(b)	Settled by Parties	38	30	68
(c)	Remanded by the Panel	12	1	13
(d)	Administratively Closed	6	-1	5
(e)	Withdrawn	24	0	24
B. Pending Appeals				
3.	In Pre-Panel Baseball Process		61	
4.	In Pre-Panel Non-Baseball Process		156	
5.	Currently Before Panel		69	
6.	Under Discretionary Review		42	
7.	TOTAL PENDING		328	

(c) Resolved Appeals.

As reported in the tables above, 2,998 claimant and BP appeals have been resolved. Table 13 provides a summary of these resolved appeals by Claim Type. The comparison of the award amount to the amount in the original notice is made without consideration of the 5% increases that claimants who prevail upon appeal receive.

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	2	80	70	13	1	5	41	3	8	223
2.	BEL	110	544	1,072	129	28	79	199	6	101	2,268
3.	Wetlands Real Property	1	1	2	21	0	0	2	0	16	43
4.	Coastal Real Property	27	5	12	29	1	2	4	1	0	81
5.	Real Property Sales	1	1	7	22	0	0	2	0	0	33
6.	VoO Charter Payment	15	29	28	24	26	5	26	2	0	155
7.	IEL	9	33	29	35	4	9	5	1	3	128
8.	VPD	3	25	20	1	0	10	8	0	0	67
9.	Total	168	718	1,240	274	60	110	287	13	128	2,998

(d) Incompleteness Appeals.

The Appeal for Insufficient Documentation (“Incompleteness Appeal”) allows Economic Class Members (“claimants”) to have their claims reviewed by a separate Documentation Reviewer when the Claims Administrator denies their claims because of insufficient documentation. The Documentation Reviewer reviews the claimant’s documents and determines whether the Program correctly denied the claim.

Before sending the claim to the Documentation Reviewer, we review the appeal request along with any newly submitted documents. If the claimant has submitted the requested documents and cured the incompleteness, we issue the appropriate Notice. If the claimant still

has not submitted the requested documents, we send the claim to the Documentation Reviewer for review.

Before a claimant may seek an appeal of an Incompleteness Denial, he must seek Reconsideration and receive a Post-Reconsideration Incompleteness Denial Notice. To date, we have issued 2,487 Post-Reconsideration Incompleteness Denial Notices. Of those, 295 are still within the time for the claimant to appeal, leaving 2,192 that have passed the window for the claimant to consider whether to appeal. Of those 2,487 claims eligible for appeal, there are 1,032 appeal requests, or 41.5%.

Table 14 provides summary information on the status of Incompleteness Appeals:

Table 14. Incompleteness Appeals				
A. Incompleteness Appeal Filing/Resolution				
	Status	Prior to 9/11/13	Since 9/11/13	Total
1.	Incompleteness Appeals Filed	628	404	1,032
2.	Appeals Resolved	169	382	551
(a)	Withdrawn/Closed	1	0	1
(b)	Cured	47	30	77
(c)	Incompleteness Denial Affirmed	114	347	461
(d)	Incompleteness Denial Overturned	7	5	12
B. Pending Incompleteness Appeals				
3.	In Pre-Documentation Reviewer Process	334		
4.	Currently Before Documentation Reviewer	147		
5.	TOTAL PENDING	481		

As reported in Table 14 above, 551 Incompleteness Appeals are resolved.

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 continued outreach efforts for all damage categories related to incompleteness reasons. Over the past several weeks, Law Firm Contacts focused outreach efforts on Incomplete Seafood Compensation Program claims. This outreach campaign has been highly successful at resolving the remaining Incomplete SCP claims. Firm Contacts assisted firms by continuing Incomplete Payment Documentation outreach as well as Release Incompleteness outreach. Finally, 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).

CCC Agents contributed to Claimant Outreach by placing calls to claimants to provide information concerning how to comply with Bankruptcy and DMI requirements, with Multi-Facility Business Claim filing requirements, and with Seafood Compensation Program untimely filing requirements. Our agents also contacted claimants to request additional information to supplement the processing of their claims, such as documentation verifying property ownership, forms to update claimant names and taxpayer identification numbers, documentation verifying claimants' identity, and death certificates and divorce decrees. Lastly, the CCC's participation in Payment Documentation Incompleteness outreach helped to resolve claimant payment issues and led to over \$20,000,000 in payments.

C. Claimant Assistance Centers (CACs).

The Claimant Outreach Program (COP) continues at the CACs. To date, the COP has completed over 74,000 outreach calls. The CACs continued 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. The COP also continued outreach to claimants with

incomplete Subsistence claims from the Bridge City CAC and Naples CAC. The CAC comment card program has consistently shown that over 90% of visitors to CACs responded “Strongly Agree/Agree” that they received thorough, prompt, professional service and would return to the same location for further information and assistance.

D. Summary of Outreach Calls.

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

Table 15. Outreach Call Volume (As of 10/10/13)							
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	74,432	26,893	20,377	76%	9,603	36%
2.	Garden City Group	62,029	8,264	5,937	72%	636	8%
3.	P&N	27,487	6,211	5,351	86%	171	3%
4.	PWC	805	350	333	95%	9	3%
5.	Total	164,753	41,718	31,998	77%	10,419	25%

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 15th day of October, 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	874	35,027	35,901	19%	1,662	41,069	42,731	19%
2.	Florida	2,137	62,635	64,772	34%	5,352	65,729	71,081	31%
3.	Louisiana	1,677	42,633	44,310	23%	2,502	57,344	59,846	26%
4.	Mississippi	555	23,465	24,020	13%	957	25,942	26,899	12%
5.	Texas	257	9,543	9,800	5%	717	10,052	10,769	5%
6.	Other	1,026	10,291	11,317	6%	1,090	16,896	17,986	8%
7.	Total	6,526	183,594	190,120	100%	12,280	217,032	229,312	100%

Chart 1: Filings by State of Residence

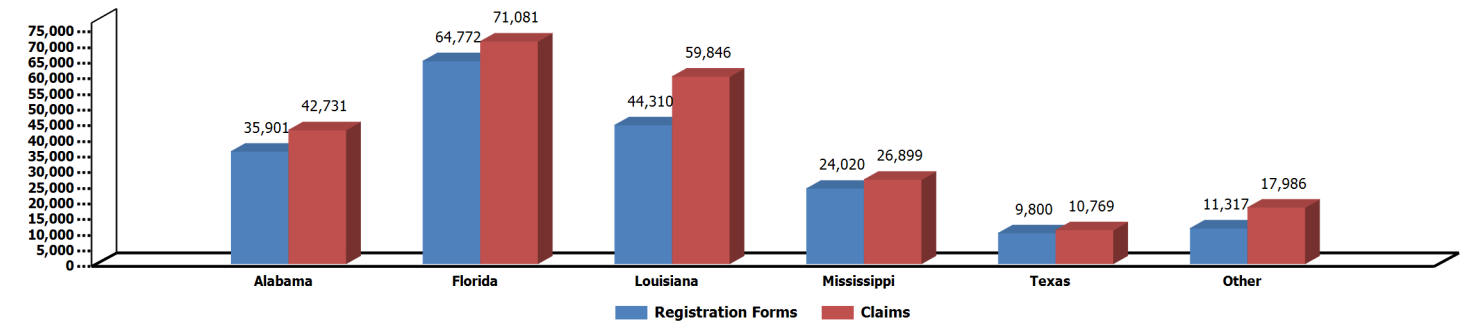


Table 2	Claim Type	Number of Claims by Claim Type				Unique Claimants with Form Submitted
		Claims				
		Form Begun	Form Submitted	Total	%	
1.	Seafood Compensation Program	425	24,281	24,706	11%	10,382
2.	Individual Economic Loss	6,551	33,986	40,537	18%	33,788
3.	Individual Periodic Vendor or Festival Vendor Economic Loss	161	263	424	<1%	262
4.	Business Economic Loss	2,544	71,765	74,309	32%	59,247
5.	Start-Up Business Economic Loss	287	4,369	4,656	2%	3,790
6.	Failed Business Economic Loss	261	3,025	3,286	1%	2,794
7.	Coastal Real Property	830	30,021	30,851	13%	20,955
8.	Wetlands Real Property	201	8,835	9,036	4%	2,393
9.	Real Property Sales	187	1,366	1,553	1%	1,092
10.	Subsistence	675	29,180	29,855	13%	29,173
11.	VoO Charter Payment	92	8,576	8,668	4%	6,070
12.	Vessel Physical Damage	66	1,365	1,431	1%	1,170
13.	Total	12,280	217,032	229,312	100%	156,097

Chart 2: Number of Claims by Claim Type

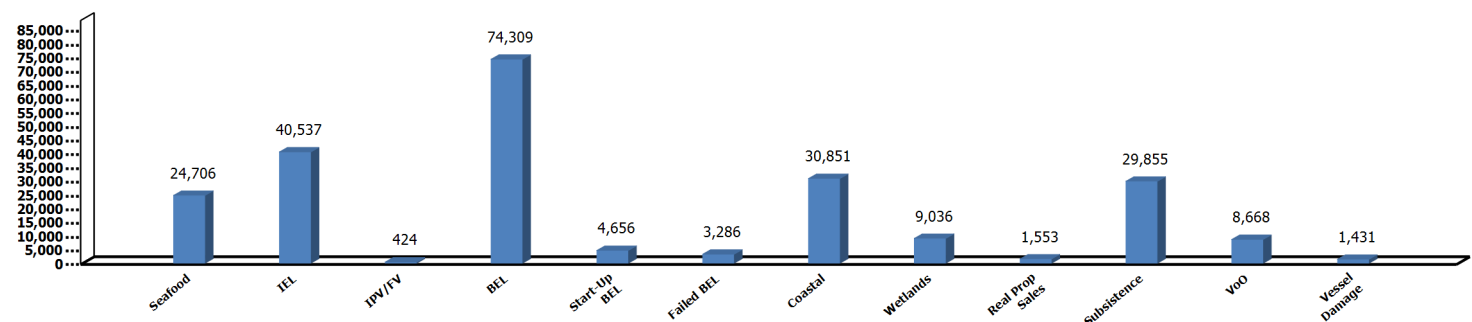


Table 3	Filings by Claimant Assistance Center								
	Claimant Assistance Center	Registration Forms				Claims			
		Form Begun	Form Submitted	Total	%	Form Begun	Form Submitted	Total	%
1.	Apalachicola, FL	28	1,426	1,454	5%	41	2,004	2,045	6%
2.	Bay St. Louis, MS	10	607	617	2%	30	752	782	2%
3.	Bayou La Batre, AL	22	1,019	1,041	4%	49	1,122	1,171	3%
4.	Biloxi, MS	39	1,415	1,454	5%	65	1,745	1,810	5%
5.	Bridge City, TX	1	368	369	1%	16	684	700	2%
6.	Clearwater, FL	73	2,311	2,384	8%	362	1,850	2,212	6%
7.	Cut Off, LA	13	446	459	2%	26	628	654	2%
8.	Fort Walton Beach, FL	12	1,319	1,331	5%	52	1,813	1,865	5%
9.	Grand Isle, LA	4	144	148	1%	5	227	232	1%
10.	Gretna/Harvey, LA	39	2,051	2,090	7%	49	2,092	2,141	6%
11.	Gulf Shores, AL	19	2,084	2,103	7%	69	2,740	2,809	8%
12.	Houma, LA	23	789	812	3%	43	1,033	1,076	3%
13.	Lafitte, LA	6	311	317	1%	12	441	453	1%
14.	Mobile, AL	67	7,187	7,254	25%	191	7,781	7,972	23%
15.	Naples, FL	26	1,305	1,331	5%	40	1,208	1,248	4%
16.	New Orleans – CBD BG, LA	14	340	354	1%	22	353	375	1%
17.	New Orleans East, LA	47	1,993	2,040	7%	103	2,340	2,443	7%
18.	Panama City Beach, FL	21	2,072	2,093	7%	92	3,143	3,235	9%
19.	Pensacola, FL	26	1,295	1,321	5%	70	1,618	1,688	5%
20.	Total	490	28,482	28,972	100%	1,337	33,574	34,911	100%

Chart 3: Number of Claims by Claimant Assistance Center

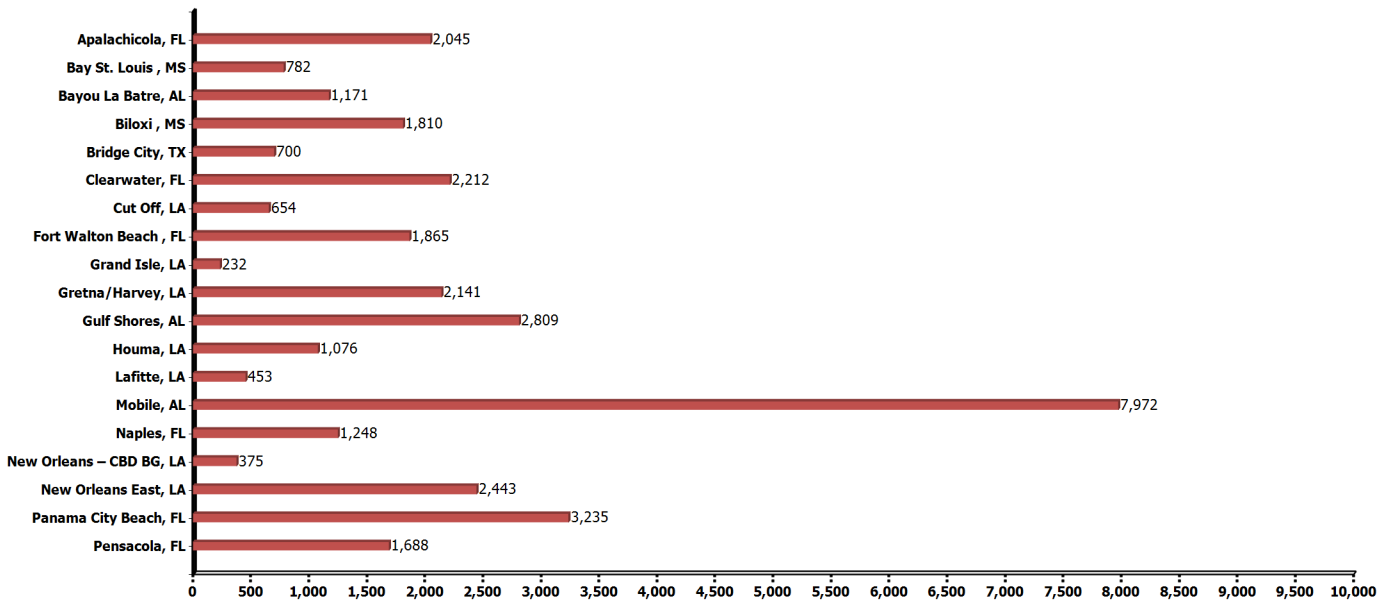


Table 4	Claim Type	Notices Issued											Total Claims Issued Notice
		Eligible - Payable	Eligible - No Payment	Incomplete	Denial					Opt-Outs	Withdrawn	Closed	
					Exclusion Denials	Prior GCCF Release	Causation Denials	Other Denials	Incomplete Denials				
1.	Seafood Compensation Program	8,647	1,126	1,543	40	2,454	0	434	4,285	1,245	2,636	1,198	23,608
2.	Individual Economic Loss	4,047	990	5,964	2,505	1,841	64	843	12,299	612	627	2,243	32,035
3.	Individual Periodic Vendor or Festival Vendor Economic Loss	8	0	18	4	23	0	53	112	2	53	14	287
4.	Business Economic Loss	12,487	242	14,469	698	549	2,840	184	5,488	768	1,842	1,188	40,755
5.	Start-Up Business Economic Loss	521	24	1,264	71	41	105	37	903	89	95	190	3,340
6.	Failed Business Economic Loss	38	27	517	47	92	307	576	575	101	57	212	2,549
7.	Coastal Real Property	20,927	28	371	4	699	0	4,091	1,305	334	222	1,492	29,473
8.	Wetlands Real Property	2,291	1	117	8	61	0	1,184	36	58	142	703	4,601
9.	Real Property Sales	532	1	13	4	46	21	510	54	12	40	108	1,341
10.	Subsistence	1,535	2	5,758	10	1,185	0	14	813	174	124	176	9,791
11.	VoO Charter Payment	6,921	20	41	16	0	0	572	630	89	55	100	8,444
12.	Vessel Physical Damage	771	17	140	4	0	0	93	149	21	22	69	1,286
13.	Total	58,725	2,478	30,215	3,411	6,991	3,337	8,591	26,649	3,505	5,915	7,693	157,510

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	8,647	\$1,071,249,292	7,200	\$991,485,110	6,634	\$999,043,885	3,985
2.	Individual Economic Loss	4,047	\$53,753,460	3,453	\$47,216,636	2,891	\$35,502,438	2,891
3.	Individual Periodic Vendor or Festival Vendor Economic Loss	8	\$77,085	8	\$77,085	8	\$77,085	8
4.	Business Economic Loss	12,487	\$3,065,115,486	11,743	\$2,849,147,929	9,906	\$2,066,294,469	9,513
5.	Start-Up Business Economic Loss	521	\$121,418,238	491	\$111,639,614	440	\$93,088,525	425
6.	Failed Business Economic Loss	38	\$3,460,798	27	\$2,857,358	20	\$1,733,460	20
7.	Coastal Real Property	20,927	\$120,477,275	19,928	\$115,284,953	18,947	\$109,412,526	15,073
8.	Wetlands Real Property	2,291	\$140,834,393	2,111	\$89,885,706	2,063	\$88,727,886	869
9.	Real Property Sales	532	\$27,452,405	514	\$26,839,835	502	\$26,470,019	471
10.	Subsistence	1,535	\$12,125,076	1,351	\$11,001,541	1,256	\$10,230,394	1,256
11.	VoO Charter Payment	6,921	\$277,551,165	6,899	\$274,829,011	6,781	\$273,461,348	5,172
12.	Vessel Physical Damage	771	\$12,309,928	731	\$11,767,492	684	\$9,828,567	642
13.	Total	58,725	\$4,905,824,600	54,456	\$4,532,032,268	50,132	\$3,713,870,601	37,520

Table 6	Appeals Received			
	Resolved Appeals			
	Appeal Status	BP Appeals	Claimant Appeals	Total Appeals
1.	Decided by Appeal Panel	1,495	491	1,986
2.	Settled by Parties	406	68	474
3.	Withdrawn	263	24	287
4.	Administratively Closed	8	5	13
5.	Inactive Under Reconsideration/Re-Review	128	0	128
6.	Remand to Claims Administrator	97	13	110
7.	Total	2,367	601	2,968
Pending Appeals				
8.	In "Baseball" Process	741	62	803
9.	In "Non-Baseball" Process	0	157	157
10.	Submitted to Panel	465	62	527
11.	Under Discretionary Court Review	111	42	153
12.	Total	1,317	323	1,640
Grand Total				
13.		3,684	924	4,608

Chart 4: Registration and Claim Forms Filed by Month

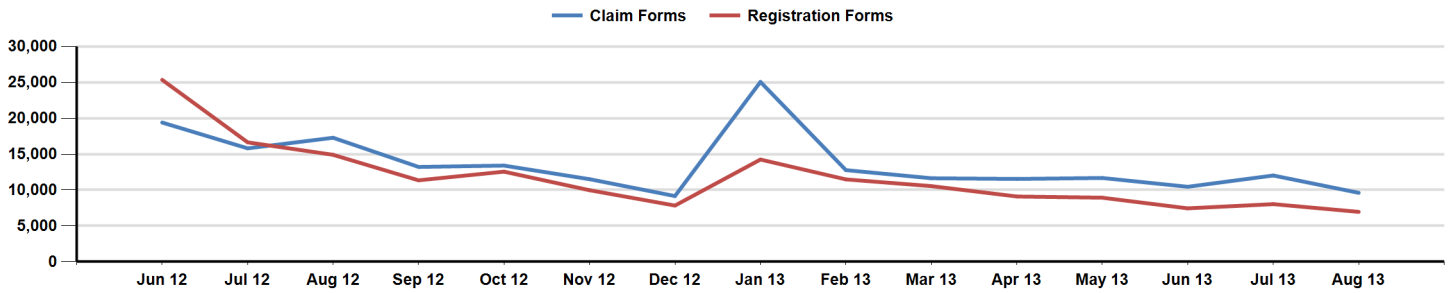


Chart 5: Notices Issued by Month

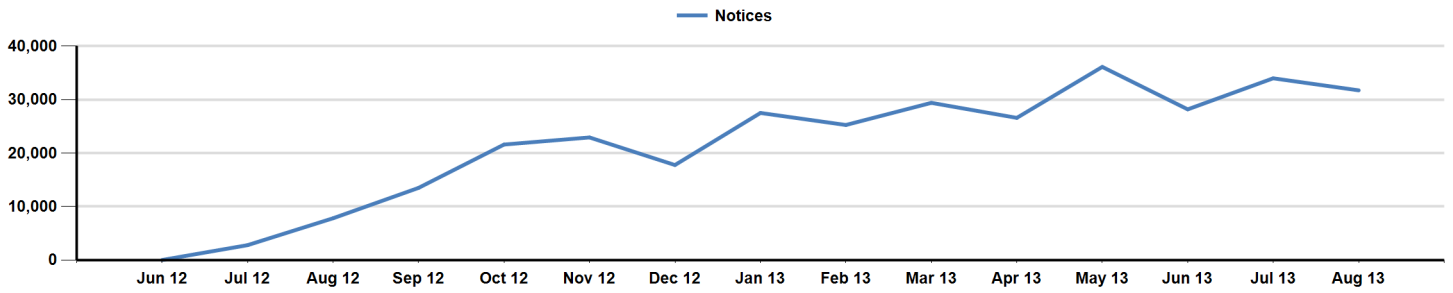


Chart 6: Payments Made by Month

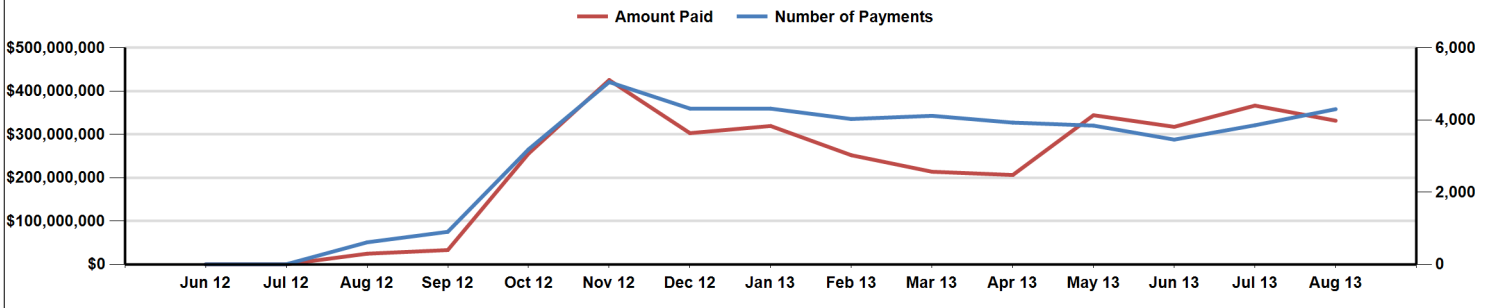
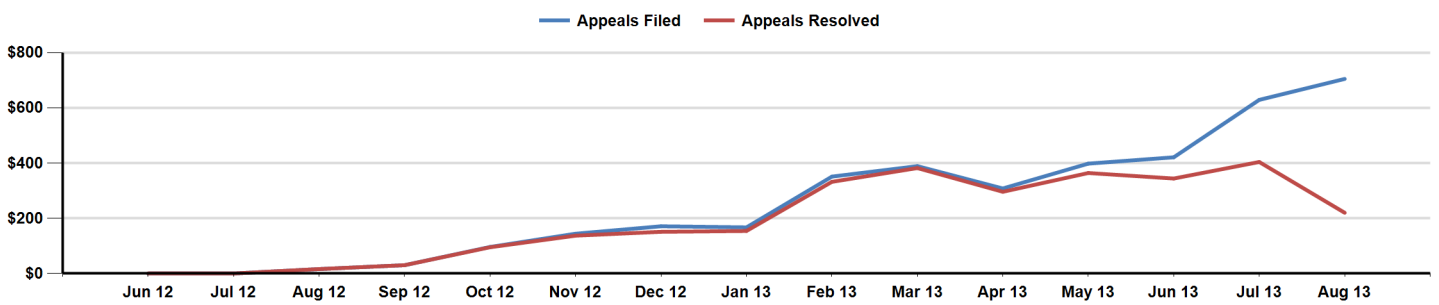


Chart 7: Appeal Resolutions by Month



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 with Eligibility Notices counted before Denial Notices when counting the claim: (1) Post Appeal Notices; (2) Post Reconsideration Notices; (3) Post Re-Review Notices; (4) Opt-Out; (5) Withdrawn; (6) Closed; (7) Incompleteness Notices. 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.