

***Approval of the Settlement Agreement and Update on the
Deadlines to File Claim Forms***

- 1. *Introduction.*** The United States District Court in New Orleans entered an Order on December 21, 2012, granting Final Approval to the Deepwater Horizon Economic and Property Damages Settlement. The Order overruled all objections and approved the Settlement as fair, reasonable and adequate for the Class. The objectors have until January 22, 2013, to appeal the District Court's Final Approval Order to the United States Court of Appeals for the Fifth Circuit if they wish to continue to pursue their objections regarding the Settlement. The Claims Administrator will continue to process claims as quickly as possible as these proceedings develop. The Court's approval of the Settlement Agreement affects the deadlines to file a Claim Form, especially for claims in the Seafood Compensation Program. This Alert explains these deadlines in detail.
- 2. *Deadline to File Claims in the Seafood Compensation Program.*** Under Section 5.11.9 of the Settlement Agreement, claims in the Seafood Program must be filed no later than 30 days after the District Court's Final Approval Order. Because that 30-day period ends on January 20, 2013, which is a Sunday, and the following Monday is a federal holiday for Martin Luther King's birthday, the Seafood Compensation Program claims deadline is Tuesday, January 22, 2013. This means that ***all Claim Forms asserting claims in the Seafood Program must be filed with the Claims Administrator no later than Tuesday, January 22, 2013.*** The Claims Administrator cannot accept Seafood Compensation Program Claims after January 22, 2013.
- 3. *Deadline to File Other Claim Types.*** The District Court's Final Approval Order may affect the deadline to submit Claim Forms for claim types other than Seafood Compensation Program Claims, but we cannot tell to what extent until the time for appeals has expired.

 - (a) *Claimants Who Have Been Paid by the Claims Administrator.*** Claimants who have already been paid on a claim must file Claim Forms on any other claims they wish to bring within 180 days after that first payment. The District Court's approval Order does not affect that deadline.
 - (b) *Claimants Who Have Not Been Paid by the Claims Administrator.*** Claimants who have not been paid on a claim must file their Claim Forms by April 22, 2014, though the date may be extended depending upon whether there are any appeals and when any such appeals process is completed.
- 4. *How to Measure Whether a Claim Form is Timely.*** Keep in mind how the time of filing a Claim Form is measured. The Claims Administrator applies these rules:

 - (a)** Claim Form filed online on a DWH Portal or by email: Timely if submitted online or emailed by midnight for the sender on the filing deadline date.
 - (b)** Claim Form filed in a Claimant Assistance Center: Timely if done in a Claimant Assistance Center before the Center closes on the deadline date.

- (c) Claim Form filed by U.S. Mail: Timely if postmarked on or before the filing deadline date.
- (d) Claim Form filed by personal delivery: Timely if delivered on or before the filing deadline date.
- (e) Claim Form filed by overnight carrier: Timely if placed in the hands of the carrier on or before the filing deadline date.

5. **Key Dates.** Use this table as a reference guide for updated deadlines and other important dates associated with the Deepwater Horizon Economic and Property Damages Settlement:

Key Dates for the Economic and Property Damages Settlement		
1.	September 7, 2012	Objection Deadline
2.	November 1, 2012	Opt Out Deadline
3.	November 8, 2012	Fairness Hearing
4.	December 21, 2012	District Court entered Final Approval of the Economic and Property Damages Settlement
5.	January 22, 2013	Deadline to File Seafood Compensation Program Claim Forms
6.	180 days after first payment to a Claimant	Deadline for that Claimant to file Claim Forms for other claims
7.	Later of (a) April 22, 2014 or (b) six months after the Effective Date of the Agreement, which has yet to be determined	Deadline to file Claim Forms for claims other than Seafood Compensation Program Claims
8.	Rolling Basis	Distribution: Valid claims are being paid as they are approved

6. **Questions.** If you have any questions about the information in this Alert, please email Questions@dhecc.com.