



**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.

13

DATE

September 12, 2013

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ECONOMIC AND PROPERTY DAMAGES SETTLEMENT AGREEMENT ON THE
STATUS OF CLAIMS REVIEW**

STATUS REPORT NO. 13, DATED SEPTEMBER 12, 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 September 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 177,082 Registration Forms and 206,907 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 12,184 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 34,300 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	51	+1	79	+4	280	+17
2.	Referred to GADL	8	-4	4	-1	N/A	N/A
3.	Eligible for Payment	9	0	44	+3	140	+15
4.	Approval Orders Filed	8	+1	36	+4	106	+8

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. On July 26,

2013, the Court approved the Rules Governing the Third Party Claims Dispute Resolution Process and appointed Judge Jerry Brown as the Third Party Claims Adjudicator. Judge Brown will resolve disputes over Valid Third Party Claims for attorney fees or fees for other services performed in connection with a Settlement Program claim.

We require a Third Party Claimant to send us enforcement documentation soon after the initial Third Party Claim assertion. Once we receive sufficient documentation, we notify the claimant of the Enforced Third Party Claim against any potential settlement payment, regardless of where the underlying claim is in the review process. The claimant may object to the Third Party Claim at this time or wait until he/she receives a Notice of Valid Third Party Claim. When the underlying claim and thus the Third Party Claim become payable, we issue an Eligibility Notice to the claimant and a Notice of Valid Third Party Claim to the claimant and the Third Party Claimant. The Notice of Valid Third Party Claim gives the claimant 20 days to notify us of any objection to the Third Party Claim.

If we receive an objection to a Valid Third Party Claim, we issue a Notice of Third Party Claim Dispute to both parties. Any disputes over Third Party Claims must be resolved by agreement of the parties or through a dispute resolution process. If the claimant and Third Party Claimant are unable to resolve their dispute 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 by executing a Request for Third Party Claim Dispute Resolution.

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	2,474	2,007	384	215	143	464
2.	IRS Levies	560	519	53	54	54	65
3.	Individual Domestic Support Obligations	308	184	88	72	67	72
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	655	283	14	7	3	5
6.	Claims Preparation/Accounting	1,515	1,312	39	17	6	11
7.	TOTAL	5,512	4,305	578	365	273	617²

To date, we have removed 1,688 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 Claimant Identity Team has initiated verifications for 149,775 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 82,913 claimants from the initial query through LexisNexis and/or D&B. Initially, 66,862 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 52,524 claimants' records and verified the identity. After this initial review, we could still not match 14,338 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, 12,244 claimants have submitted information/documents that helped confirm the claimants' information and verify the identity. Of the remaining 2,094 claimants whose identity has not yet been verified, 687 are still within the time period to respond to the Notice. Of the 687 still within the time period, 37 responded to the Notice and are under review to determine if we can verify the identity. Of the remaining 1,407, 1,117 responded to the Notice but the response did not help verify the identity – 20 after the initial and 1,097 after the follow up Notice -- and 290 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	2,055	77.3%	52,524	78.3%
2.	SSN Notice Issued	18	.7%	2,364	3.5%
3.	ITIN Notice Issued	3	.1%	415	.6%
4.	EIN Notice Issued	582	21.9%	11,749	17.5%
5.	Total Reviewed	2,658	100%	67,052	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	2,364	1,922	81.3%	46
2.	ITIN Notice	415	348	83.9%	29
3.	EIN Notice	11,749	10,088	85.9%	32
4.	Total Issued	14,528	12,358	85.1%	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 190,000 businesses and rental properties.

The EVR process now utilizes an integrated system of 34 pre-programmed metrics to provide a greater measure of Quality Assurance for each review completed. The EVR team began receiving training on the new metrics based review system on July 25, 2013. Over the first four weeks of the development and programming process for the new system, the team has

been able to review more efficient reporting of targeted criteria, processing errors have decreased, and overall reviewer productivity has increased. The system provides greater managerial oversight and has been thus far instrumental in providing enhanced support to augment the EVR Team's Notice Quality Assurance efforts. Going forward, this new process aims to become the EVR Team's main resource for all Quality Assurance measures.

This is a more-efficient and cost-saving alternative to the EVR Team's former Quality Assurance measures, which took place at the end of the Claims Review process, sometimes requiring a claim nearing completion to be placed back into review to address errors and perform compensation calculations. Now, the errors are identified and corrected before the Claim Review begins, significantly reducing the time necessary to reach the correct outcome.

From August 11, 2013, through September 10, 2013, the team completed the EVR step for 8,808 businesses and properties. We identified an average of 241 new businesses and properties to review each day and completed the EVR review for an average of 284 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	115	7,094
2.	BP/MDL 2179 Defendant		4	263
3.	US District Court for Eastern District of LA		1	23
4.	Not a Member of the Economic Class	Claims Reviewers	26	221
5.	Bodily Injury		0	4
6.	BP Shareholder		1	8
7.	Transocean/Halliburton Claim		0	0
8.	Governmental Entity	Claims Reviewers/ EVR	16	714
9.	Oil and Gas Industry		37	579
10.	BP-Branded Fuel Entity		1	38
11.	Menhaden Claim	EVR	0	15
12.	Financial Institution		12	231
13.	Gaming Industry		20	669
14.	Insurance Industry		5	168
15.	Defense Contractor		15	336
16.	Real Estate Developer		19	168
17.	Trust, Fund, Financial Vehicle		0	14
18.	Total Denial Notices from Exclusions		272	10,545

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	803	9220	51	883	854	10103	\$1,338,855.61	\$14,321,203.57
2.	IEL	264	1700	22	277	286	1977	\$35,014.67	\$227,467.31
3.	Seafood	35	3560	56	715	91	4275	\$42,742.34	\$1,449,719.83
4.	TOTAL	1102	14480	129	1875	1231	16355	\$1,416,612.62	\$15,998,390.71

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	23,784	23,264	98%	477	43	623
2.	IEL	22,398	20,618	92%	1,226	554	2,137
3.	BEL	19,047	14,853	78%	214	3,980	1,054
4.	Start-Up BEL	1,525	1,261	83%	25	239	91
5.	Failed BEL	1,777	1,586	89%	21	170	58
6.	Coastal Real Property	18,333	18,312	100%	5	16	639
7.	Real Property Sales	744	744	100%	0	0	14
8.	VoO Charter	7,572	7,561	100%	4	7	84
9.	Subsistence	22,680	10,653	47%	689	11,338	3,660
10.	Wetlands	3,295	3,207	97%	41	47	176
11.	Vessel Physical Damage	1,160	1,124	97%	13	23	116
12.	TOTAL	122,315	103,183	84%	2,715	16,417	8,642

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 8/12/13			
		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	24,213	23,104	95%	1,109	5%	74	2	291	9
2.	IEL	33,154	30,336	92%	2,818	8%	872	28	809	26
3.	IPV/FV	261	239	92%	22	8%	7	0	6	0
4.	BEL	67,369	37,039	55%	30,330	45%	4,562	147	3,831	124
5.	Start-Up BEL	4,158	3,095	74%	1,063	26%	200	6	172	6
6.	Failed BEL	2,925	2,366	81%	559	19%	82	3	159	5
7.	Coastal RP	29,126	28,127	97%	999	3%	1,122	36	1,312	42
8.	Wetlands RP	7,410	4,368	59%	3,042	41%	558	18	229	7
9.	RPS	1,335	1,242	93%	93	7%	24	1	46	1
10.	Subsistence	27,074	8,210	30%	18,864	70%	1,482	48	1,188	38
11.	VoO	8,541	8,388	98%	153	2%	73	2	65	2
12.	Vessel	1,341	1,237	92%	104	8%	44	1	62	2
13.	TOTAL	206,907	147,751	71%	59,156	29%	9,100	294	8,170	264
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	5,680	4,740	940	2,441	1776	665	2,948	2,113	835
2.	IEL	14,353	11,733	2,620	6,138	4166	1,972	3,144	2,146	998
3.	IPV/FV	83	78	5	31	28	3	33	30	3
4.	BEL	19,267	12,159	7,108	6,677	3990	2,687	3,084	2,132	952
5.	Start-Up BEL	1,747	1,215	532	859	524	335	316	192	124
6.	Failed BEL	786	557	229	438	250	188	356	250	106
7.	Coastal RP	4,422	4,204	218	1,197	1114	83	1,345	1,230	115
8.	Wetlands RP	289	199	90	50	42	8	424	255	169
9.	RPS	212	207	5	59	57	2	162	151	11
10.	Subsistence	2,938	370	2,568	450	28	422	79	39	40
11.	VoO	869	854	15	364	347	17	595	571	24
12.	Vessel	694	652	42	289	257	32	160	142	18
13.	TOTAL	51,340	36,968	14,372	18,993	12,579	6,414	12,646	9,251	3,395

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 September 10, 2013, we have issued 56,171 Eligibility Notices with Payment Offers totaling over \$4.67 billion. As of that date, we also have made over \$3.46 billion in payments on 47,357 claims.

2. Claimants in Bankruptcy.

We have issued Bankruptcy Notices to 292 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 468 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 54,469 Eligibility and Denial Notices issued from which claimants can seek Re-Review. Of those,

2,453 are still within the 30 day window to seek Re-Review and have not yet done so, leaving 52,016 that have passed the window for seeking Re-Review. Of those, claimants have asked for Re-Review of 3,538 claims. Thus, the rate of Re-Review from all final determinations is 6.8%. 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-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	681	506	10	11
2.	IEL	450	211	6	5
3.	IPV/FV	9	9	0	0
4.	BEL	1,311	1,060	39	23
5.	Start-Up BEL	94	64	1	2
6.	Failed BEL	93	77	2	2
7.	Coastal	484	476	20	11
8.	Wetlands	223	207	1	5
9.	Real Property Sales	37	37	0	1
10.	Subsistence	67	35	0	1
11.	VoO	50	44	1	1
12.	Vessel	39	34	1	1
13.	TOTAL	3,538	2,760	81	63

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	483	11	267	8	166	37	2
2.	IEL	190	4	45	5	40	101	2
3.	IPV/FV	9	0	0	0	0	9	0
4.	BEL	883	20	224	12	74	525	6
5.	Start-Up BEL	62	2	16	0	4	37	1
6.	Failed BEL	66	1	0	0	1	65	0
7.	Coastal	374	9	40	3	73	245	12
8.	Wetlands	132	3	3	1	2	126	1
9.	Real Property Sales	25	1	1	0	1	23	0
10.	Subsistence	30	1	1	0	1	28	0
11.	VoO	43	1	6	5	14	16	2
12.	Vessel	32	1	16	0	10	5	1
13.	TOTAL	2,329	54	619	34	386	1,217	27

2. Reconsideration Reviews and Outcomes.

To date, there have been 108,266 Eligibility, Denial and Incompleteness Denial Notices issued from which claimants can seek Reconsideration. Of those, 6,963 are still within the 30 day window to seek Reconsideration and have not yet done so, leaving 101,303 that have passed the window for seeking Reconsideration. Of those, claimants have asked for Reconsideration of 12,646 claims. Thus, the rate of Reconsideration from all final determinations is 12.5%. 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								
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	2,948		2,237	300	35		
2.	IEL	3,144		2,308	486	36		
3.	IPV/FV	33		14	2	<1		
4.	BEL	3,084		2,039	388	32		
5.	Start-Up BEL	316		165	41	3		
6.	Failed BEL	356		249	24	4		
7.	Coastal	1,345		1,258	72	20		
8.	Wetlands	424		267	26	4		
9.	Real Property Sales	162		154	8	2		
10.	Subsistence	79		47	7	<1		
11.	VoO	595		576	4	9		
12.	Vessel	160		146	21	2		
13.	TOTAL	12,646		9,460	1,379	147		
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	2,113	33	578	81	357	1,093	4
2.	IEL	2,146	33	77	150	62	1,852	5
3.	IPV/FV	30	<1	0	0	0	30	0
4.	BEL	2,132	33	333	85	179	1,498	37
5.	Start-Up BEL	192	3	11	8	13	157	3
6.	Failed BEL	250	4	0	2	1	247	0
7.	Coastal	1,230	19	87	19	333	776	15
8.	Wetlands	255	4	16	1	25	200	13
9.	Real Property	151	2	1	0	3	145	2

Table 10. Reconsideration								
	Sales							
10.	Subsistence	39	<1	0	0	1	38	0
11.	VoO	571	9	59	4	119	347	42
12.	Vessel	142	2	44	4	10	83	1
13.	TOTAL	9,251	143	1,206	354	1,103	6,466	122

3. Appeals.

(a) *BP Appeals.*

To date, we have issued 17,197 Eligibility Notices that meet or exceed the threshold amounts rendering them eligible for BP to appeal. Of those, 299 are still within the time for BP to appeal, leaving 16,898 that have passed the window for BP to consider whether to appeal. Of those 16,898, BP has appealed 3,176 or only 18.8%. However, out of the 3,176 claims BP has appealed, they have subsequently withdrawn 220 appeals, and another 1,145 have been resolved for the same or greater amount than the Eligibility Notice. Thus, out of the 3,176 claims BP has appealed, 1,365 have either been withdrawn or resolved, confirming that the outcome of the review was correct. If we remove those 1,365 from the 3,176 BP has appealed to arrive at a more realistic “rate of disagreement” BP has with our results, that leaves 1,811 claims out of 16,898 or 10.7% 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 8/9/13	Since Last Report	Total
1.	BP Appeals Filed	2,583	593	3,176
2.	Appeals Resolved	1,647	367	2,014
(a)	Withdrawn	185	35	220
(b)	Panel Decided	1,041	260	1,301
(c)	Settled by Parties	301	45	346
(d)	Remanded by Panel	67	8	75

Table 11. Status of BP Appeals				
(e)	Administratively Closed	7	0	7
(f)	Closed for Reconsideration Review	46	19	65
B. Pending Appeals				
3.	In Pre-Panel Baseball Process	841		
4.	Currently Before Panel	321		
5.	TOTAL PENDING	1,162		

(b) Claimant Appeals.

Before a claimant may appeal, he must seek Reconsideration and receive a Post-Reconsideration Notice. To date, we have issued 8,252 Post-Reconsideration Notices (excluding Post-Reconsideration Incompleteness Denial Notices, which are covered in paragraph (d) below). Of those, 1,953 are still within the time for the Claimant to appeal, leaving 6,299 that have passed the window for the claimant to consider whether to appeal. Of those 6,299, claimants have appealed 861, or 13.7%. Of the 861 Claimant Appeals, 524 are appeals of Post-Reconsideration Denial Notices and 337 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 8/9/13	Since Last Report	Total
1.	Claimant Appeals Filed	731	130	861
2.	Appeals Resolved	415	33	448
(a)	Panel Decided	337	31	368
(b)	Settled by Parties	36	2	38
(c)	Remanded by the Panel	12	0	12
(d)	Administratively Closed	6	0	6
(e)	Withdrawn	24	0	24

Table 12. Status of Claimant Appeals		
B. Pending Appeals		
3.	In Pre-Panel Baseball Process	81
4.	In Pre-Panel Non-Baseball Process	199
5.	Currently Before Panel	133
6.	TOTAL PENDING	413

(c) Resolved Appeals.

As reported in the tables above, 2,462 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	25	86	18	7	1	5	41	3	7	193
2.	BEL	1082	352	43	81	28	63	159	5	43	1,856
3.	Wetlands Real Property	0	1	2	12	0	0	2	0	14	31
4.	Coastal Real Property	1	7	7	18	1	3	4	1	0	42
5.	Real Property Sales	4	3	2	18	0	0	2	1	0	30
6.	VoO Charter Payment	23	37	18	22	28	5	24	2	0	159
7.	IEL	13	27	11	32	2	4	5	1	1	96
8.	VPD	22	18	0	1	0	7	7	0	0	55
9.	Total	1,170	531	101	191	60	87	244	13	65	2,462

(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 1,929 Post-Reconsideration Incompleteness Denial Notices. Of those, 506 are still within the time for the claimant to appeal, leaving 1,423 that have passed the window for the claimant to consider whether to appeal. Of those 1,929 claims eligible for appeal, there are 628 appeal requests, or 32.6%.

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

Table 14. Incompleteness Appeals				
A. Incompleteness Appeal Filing/Resolution				
	Status	Prior to 8/10/13	Since 8/10/13	Total
1.	Incompleteness Appeals Filed	309	319	628
2.	Appeals Resolved	79	90	169
(a)	Withdrawn/Closed	0	1	1
(b)	Cured	32	15	47
(c)	Incompleteness Denial Affirmed	43	71	114

Table 14. Incompleteness Appeals				
(d)	Incompleteness Denial Overturned	4	3	7
B. Pending Incompleteness Appeals				
3.	In Pre-Documentation Reviewer Process	335		
4.	Currently Before Documentation Reviewer	124		
5.	TOTAL PENDING	459		

As reported in Table 14 above, 169 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 continues to increase their outreach efforts related to several damage categories related to incompleteness reasons. Firm Contacts coordinated several calls between accountants and law firms to discuss missing documents, conducted outreach to firms with claimants who were incomplete Registration and Claim Forms, as well as claimants who were unresponsive to Identity Verification Notices. Firm Contacts also conducted outreach to firms with claimants who filed untimely Seafood Compensation Program claims to determine if the Settlement Program can process the claim as timely for either the Relate Back Component or Excusable Neglect Component. Firm Contacts continues 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. In addition to the ongoing outreach calls completed by the CCC concerning incomplete claims, requests to update claimant information, and claim filing

assistance, the CCC conducted an outreach campaign to claimants who filed untimely Seafood Compensation Program claims. The CCC contacted claimants by phone and email in an effort to communicate quickly with this population of claimants. The CCC also completed 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 68,000 outreach calls to claimants. 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 CACs also added calls to claimants with incomplete Subsistence claims to its ongoing outreach efforts. 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 9/10/13)							
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	68,742	25,081	19,125	76%	9,154	36%
2.	Garden City Group	57,658	7,934	5,677	72%	595	7%
3.	P&N	24,300	5,622	4,794	85%	155	3%
4.	PWC	805	338	316	93%	8	2%
5.	Total	151,505	38,975	29,912	77%	9,912	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 12th day of September, 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	880	33,892	34,772	19%	1,655	39,601	41,256	19%
2.	Florida	2,094	60,486	62,580	34%	5,269	63,159	68,428	31%
3.	Louisiana	1,692	41,205	42,897	23%	2,515	54,617	57,132	26%
4.	Mississippi	559	22,484	23,043	13%	966	24,747	25,713	12%
5.	Texas	253	9,095	9,348	5%	720	8,672	9,392	4%
6.	Other	1,015	9,920	10,935	6%	1,059	16,111	17,170	8%
7.	Total	6,493	177,082	183,575	100%	12,184	206,907	219,091	100%

Chart 1: Filings by State of Residence

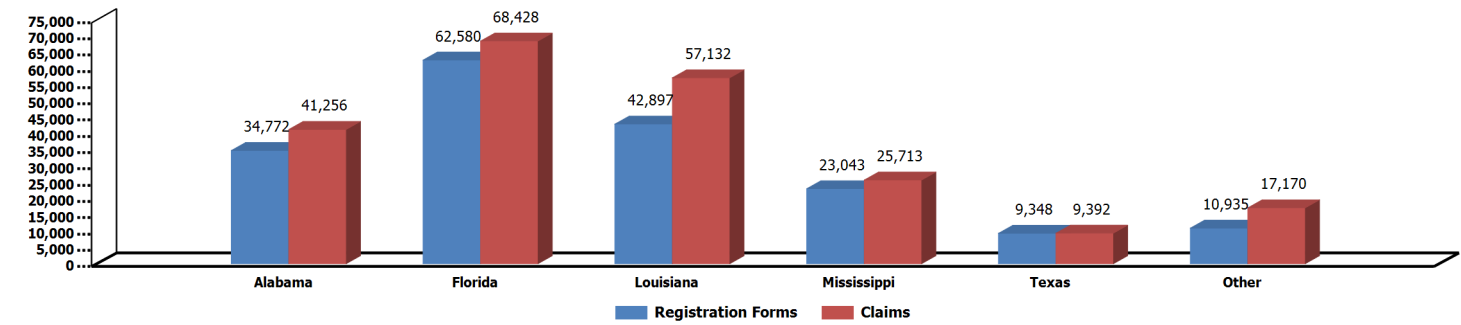


Table 2	Number of Claims by Claim Type					
	Claim Type	Claims				Unique Claimants with Form Submitted
		Form Begun	Form Submitted	Total	%	
1.	Seafood Compensation Program	409	24,213	24,622	11%	10,364
2.	Individual Economic Loss	6,452	33,154	39,606	18%	33,024
3.	Individual Periodic Vendor or Festival Vendor Economic Loss	158	261	419	<1%	260
4.	Business Economic Loss	2,506	67,369	69,875	32%	55,970
5.	Start-Up Business Economic Loss	287	4,158	4,445	2%	3,627
6.	Failed Business Economic Loss	262	2,925	3,187	1%	2,704
7.	Coastal Real Property	814	29,126	29,940	14%	20,323
8.	Wetlands Real Property	238	7,410	7,648	3%	2,235
9.	Real Property Sales	184	1,335	1,519	1%	1,068
10.	Subsistence	706	27,074	27,780	13%	27,071
11.	VoO Charter Payment	97	8,541	8,638	4%	6,048
12.	Vessel Physical Damage	71	1,341	1,412	1%	1,148
13.	Total	12,184	206,907	219,091	100%	149,250

Chart 2: Number of Claims by Claim Type

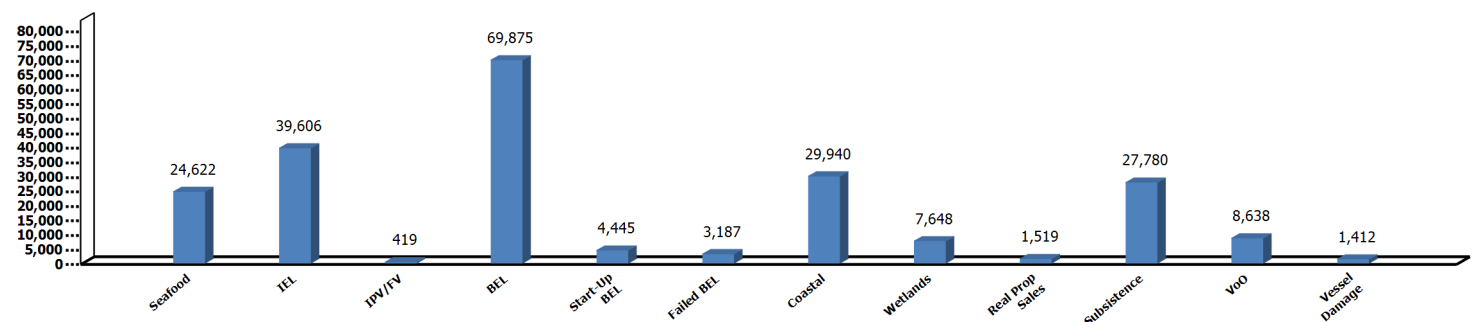


Table 3	Filings by Claimant Assistance Center								
	Claimant Assistance Center	Registration Forms				Claims			
		Form Begun	Form Submitted	Total	%	Form Begun	Form Submitted	Total	%
1.	Apalachicola, FL	28	1,408	1,436	5%	42	1,978	2,020	6%
2.	Bay St. Louis, MS	10	605	615	2%	30	751	781	2%
3.	Bayou La Batre, AL	22	1,016	1,038	4%	49	1,121	1,170	3%
4.	Biloxi, MS	39	1,378	1,417	5%	67	1,696	1,763	5%
5.	Bridge City, TX	2	356	358	1%	16	631	647	2%
6.	Clearwater, FL	72	2,272	2,344	8%	354	1,815	2,169	6%
7.	Cut Off, LA	14	443	457	2%	27	621	648	2%
8.	Fort Walton Beach, FL	11	1,304	1,315	5%	51	1,794	1,845	5%
9.	Grand Isle, LA	4	143	147	1%	5	224	229	1%
10.	Gretna/Harvey, LA	39	2,021	2,060	7%	49	2,068	2,117	6%
11.	Gulf Shores, AL	19	2,059	2,078	7%	67	2,707	2,774	8%
12.	Houma, LA	24	774	798	3%	42	1,013	1,055	3%
13.	Lafitte, LA	5	304	309	1%	12	430	442	1%
14.	Mobile, AL	66	7,011	7,077	25%	192	7,584	7,776	23%
15.	Naples, FL	25	1,292	1,317	5%	37	1,196	1,233	4%
16.	New Orleans – CBD BG, LA	14	338	352	1%	23	350	373	1%
17.	New Orleans East, LA	45	1,982	2,027	7%	103	2,319	2,422	7%
18.	Panama City Beach, FL	22	2,021	2,043	7%	90	3,076	3,166	9%
19.	Pensacola, FL	25	1,286	1,311	5%	71	1,599	1,670	5%
20.	Total	486	28,013	28,499	100%	1,327	32,973	34,300	100%

Chart 3: Number of Claims by Claimant Assistance Center

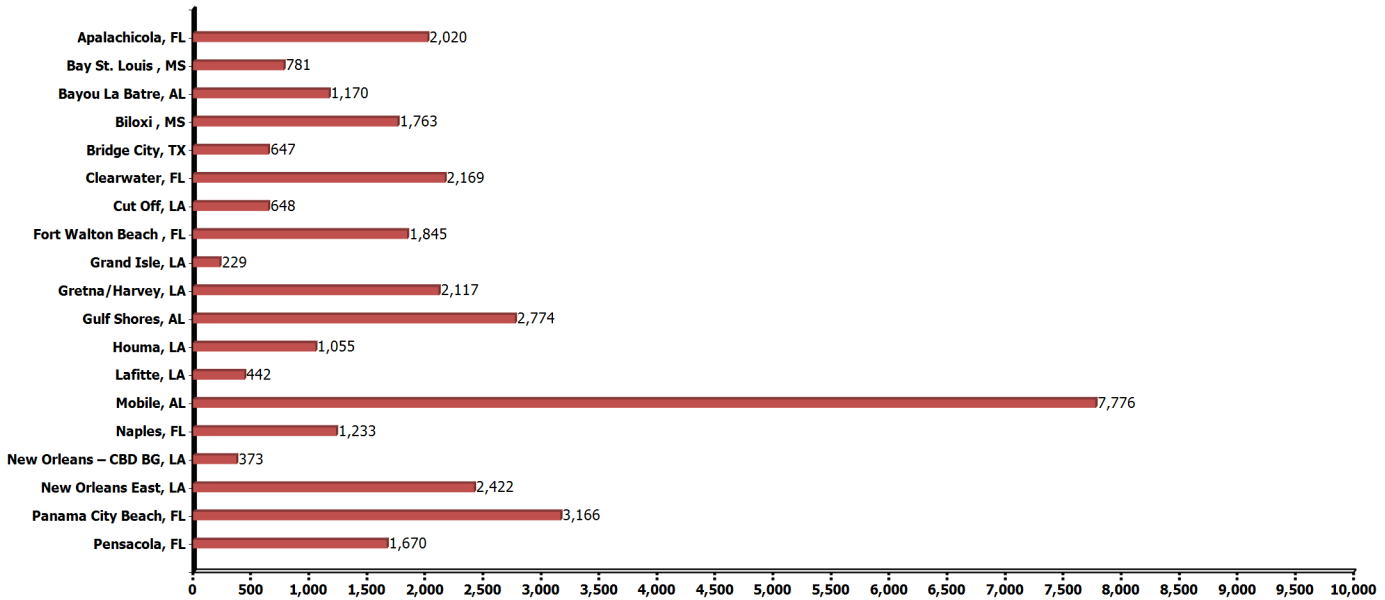


Table 4	Notices Issued												
	Claim Type	Eligible - Payable	Eligible - No Payment	Incomplete	Denial					Opt-Outs	Withdrawn	Closed	Total Claims Issued Notice
					Exclusion Denials	Prior GCCF Release	Causation Denials	Other Denials	Incomplete Denials				
1.	Seafood Compensation Program	8,427	1,126	2,073	41	2,477	0	409	4,035	1,165	2,559	778	23,090
2.	Individual Economic Loss	3,605	864	7,300	2,458	1,855	58	811	11,450	520	624	1,507	31,052
3.	Individual Periodic Vendor or Festival Vendor Economic Loss	8	0	16	4	23	0	50	114	2	53	12	282
4.	Business Economic Loss	11,607	229	12,940	659	560	2,821	131	5,071	580	1,755	845	37,198
5.	Start-Up Business Economic Loss	497	23	1,253	60	42	101	33	829	65	77	134	3,114
6.	Failed Business Economic Loss	34	27	529	48	97	276	547	573	62	48	137	2,378
7.	Coastal Real Property	20,183	27	601	4	688	0	3,607	1,291	148	217	1,402	28,168
8.	Wetlands Real Property	2,187	1	102	8	57	0	1,211	36	17	137	628	4,384
9.	Real Property Sales	510	1	17	4	47	22	475	53	5	39	95	1,268
10.	Subsistence	1,445	2	4,816	9	1,185	0	13	469	160	96	35	8,230
11.	VoO Charter Payment	6,915	18	40	16	0	0	547	662	24	57	81	8,360
12.	Vessel Physical Damage	753	17	168	4	0	0	72	141	12	19	56	1,242
13.	Total	56,171	2,335	29,855	3,315	7,031	3,278	7,906	24,724	2,760	5,681	5,710	148,766

Table 5	Payment Information							
	Claim Type	Eligibility Notices Issued with Payment Offer		Accepted Offers		Payments Made		
		Number	Amount	Number	Amount	Number	Amount	Unique Claimants Paid
1.	Seafood Compensation Program	8,427	\$1,050,945,863	6,823	\$972,976,796	6,288	\$970,849,022	3,810
2.	Individual Economic Loss	3,605	\$46,945,294	2,952	\$39,445,226	2,544	\$30,587,307	2,544
3.	Individual Periodic Vendor or Festival Vendor Economic Loss	8	\$77,085	8	\$77,085	7	\$57,397	7
4.	Business Economic Loss	11,607	\$2,865,115,671	10,694	\$2,622,380,550	9,132	\$1,883,598,483	8,765
5.	Start-Up Business Economic Loss	497	\$123,863,340	455	\$110,080,437	416	\$76,502,677	401
6.	Failed Business Economic Loss	34	\$3,284,920	21	\$2,240,470	17	\$1,581,095	17
7.	Coastal Real Property	20,183	\$118,809,523	19,040	\$113,196,770	18,045	\$104,739,561	14,371
8.	Wetlands Real Property	2,187	\$136,527,251	2,011	\$86,806,212	1,875	\$81,861,416	810
9.	Real Property Sales	510	\$26,884,535	494	\$26,098,210	480	\$25,571,366	451
10.	Subsistence	1,445	\$11,712,924	1,335	\$10,912,114	1,169	\$9,521,494	1,169
11.	VoO Charter Payment	6,915	\$277,433,980	6,835	\$273,818,301	6,736	\$271,872,932	5,139
12.	Vessel Physical Damage	753	\$12,129,404	701	\$11,494,865	648	\$9,423,680	609
13.	Total	56,171	\$4,673,729,788	51,369	\$4,269,527,034	47,357	\$3,466,166,429	35,431

Table 6	Appeals Received			
	Resolved Appeals			
	Appeal Status	BP Appeals	Claimant Appeals	Total Appeals
1.	Decided by Appeal Panel	1,306	371	1,677
2.	Settled by Parties	349	38	387
3.	Withdrawn	224	24	248
4.	Administratively Closed	7	6	13
5.	Inactive Under Reconsideration/Re-Review	64	0	64
6.	Remand to Claims Administrator	77	12	89
7.	Total	2,027	451	2,478
Pending Appeals				
8.	In "Baseball" Process	707	73	780
9.	In "Non-Baseball" Process	0	176	176
10.	Submitted to Panel	445	163	608
11.	Total	1,152	412	1,564
Grand Total				
12.		3,179	863	4,042

Chart 4: Registration and Claim Forms Filed by Month

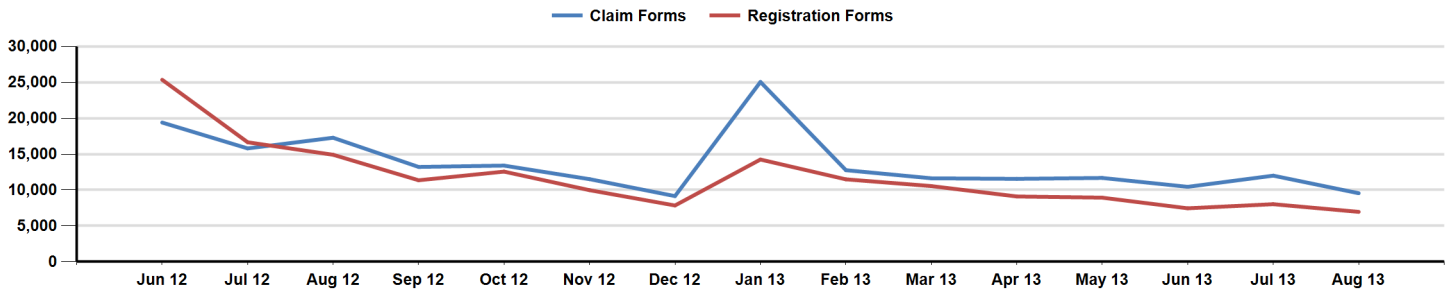


Chart 5: Notices Issued by Month

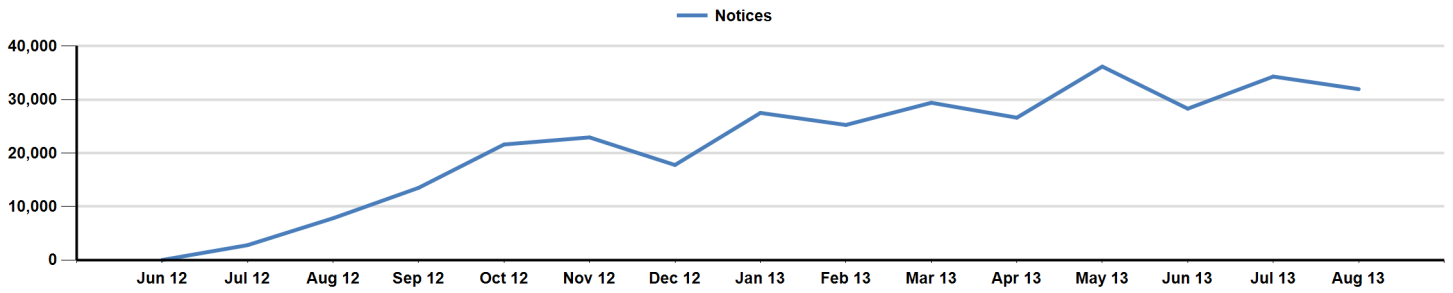


Chart 6: Payments Made by Month

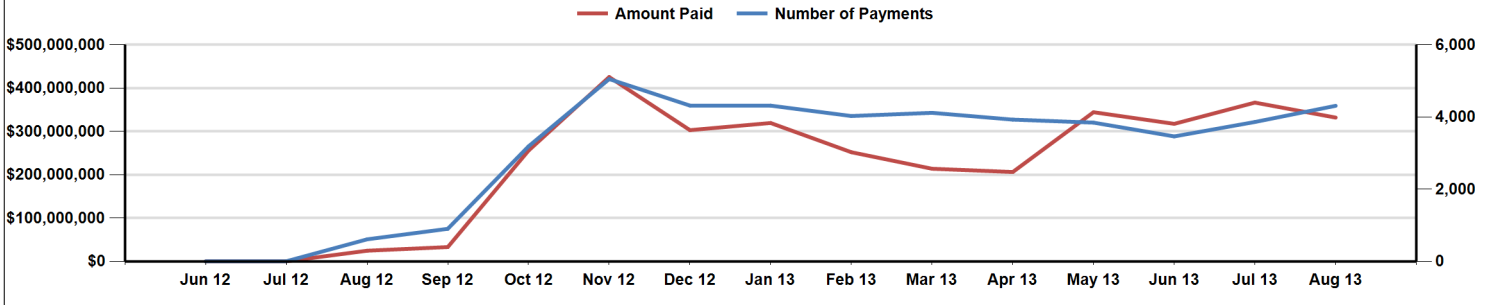
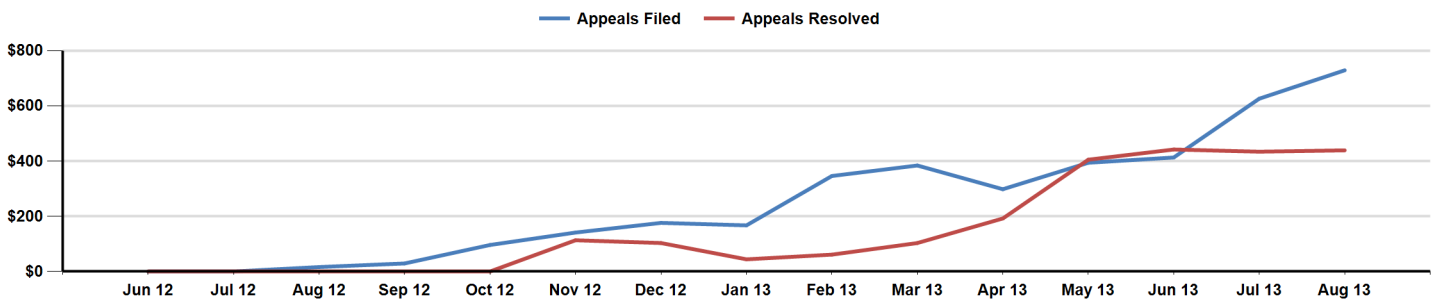


Chart 7: Appeal Resolutions by Month



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.