



**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**

**REPORT BY THE CLAIMS ADMINISTRATOR OF THE DEEPWATER  
HORIZON ECONOMIC AND PROPERTY DAMAGES SETTLEMENT  
AGREEMENT ON THE STATUS OF CLAIMS REVIEW**

<b>STATUS REPORT NO.</b>	<b>54</b>	<b>DATE</b>	<b>APRIL 27, 2017</b>
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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. 54, DATED APRIL 27, 2017**

The Claims Administrator of the Deepwater Horizon Economic and Property Settlement Agreement (Settlement Agreement) submits this Report to inform the Court of the status of the implementation of the Settlement Agreement as of March 31, 2017. The Claims Administrator will provide any other information in addition to this Report as requested by the Court.<sup>1</sup>

**I. STATUS OF THE CLAIMS REVIEW PROCESSES AND CLAIM PAYMENTS**

**A. Claim Form Submissions.**

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. As of March 31, 2017, the Claims Administrator’s Office and Vendors (CAO)<sup>2</sup> have received 389,508 Claim Forms since the Settlement Program opened on June 4, 2012, as shown in the

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<sup>1</sup> Previously, this Status Report has been filed with the Court on a monthly basis. However, given the significant reduction in remaining claims to be processed, beginning with Status Report No.54, the Status Report is being filed on a quarterly basis. It continues to reflect the Deepwater Horizon Economic and Property Damages Settlement Program’s progress towards resolution of the remaining claims populations.

<sup>2</sup> “Claims Administrator’s Office”, as used within this report, refers to the Claims Administrator and, where applicable, Court-Supervised Settlement Program vendors working with and under the Claims Administrator.

Public Statistics for the Deepwater Horizon Economic and Property Damages Settlement (Public Report) attached as Exhibit A.<sup>3</sup>

Of the total Claim Forms submitted, 6.4% were filed within the Seafood Program, 15.6% were filed within the Individual Economic Loss (IEL) framework, and 38.3% were filed within the Business Economic Loss (BEL) framework (including Start-Up and Failed BEL Claims). *See Ex. A, Table 2.*

On December 8, 2014, the United States Supreme Court declined the request for a review of the Fifth Circuit's rulings upholding the District Court's Final Approval Order of the Settlement Agreement. Accordingly, the Effective Date of the Settlement Agreement was December 8, 2014, and the final deadline for filing all new claims occurred on June 8, 2015. As such, the Claims Administrator continues to close new claim submissions made after June 8, 2015.

**B. Claims Review.**

The CAO completed its first claim reviews and issued its first outcome notices on July 15, 2012, and its first payments on July 31, 2012. There are many steps involved in reviewing a claim so that it is ready for a notice. In addition to reviewing the claims, substantial communication to claimants or their representatives is performed via notices, emails, phone calls, interviews, and site visits to obtain clarification and/or additional information or documentation necessary for the Program to review claims.

**1. Claim Type Review Details.**

Table 1 provides information, by Claim Type, on the number of claims filed, the number of claims that have been reviewed to Notice, the number of claims remaining to be reviewed to

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<sup>3</sup> The total claims received may continue to experience insignificant changes as the CAO continues to process outstanding claims.

Notice, and the number of claims reviewed to either a Notice or “Later Notice” to date. Table 1 divides the claims reviewed to a “Later Notice” into separate sections: (1) claims receiving a Notice based on CAO review following the submission of additional materials by a claimant in response to an Incompleteness Notice, and (2) claims receiving a Notice following a Reconsideration review conducted by the CAO.

**Table 1. Throughput Analysis of Claims Filed and Notices Issued.**

<b>A. Claims Reviewed to First Notice</b>													
	Claim Type	Status of All Claims Filed											
		Total Claims Filed To Date <sup>4</sup>	Reviews Completed to Notice or Closed			Claims Remaining to Review							
1.	Seafood	24,957	24,957	100.0%	0	0.0%							
2.	IEL	60,811	60,671	99.8%	140	0.2%							
3.	IPV/FV	390	389	99.7%	1	0.3%							
4.	BEL	135,380	134,882	99.6%	498	0.4%							
5.	Start-Up BEL	7,933	7,915	99.8%	18	0.2%							
6.	Failed BEL	5,848	5,839	99.8%	9	0.2%							
7.	Coastal RP	42,223	42,223	100.0%	0	0.0%							
8.	Wetlands RP	30,540	27,528	90.1%	3,012	9.9%							
9.	RPS	3,069	3,069	100.0%	0	0.0%							
10.	Subsistence	67,834	67,714	99.8%	120	0.2%							
11.	VoO	8,959	8,959	100.0%	0	0.0%							
12.	VPD	1,564	1,564	100.0%	0	0.0%							
13.	<b>TOTAL</b>	<b>389,508</b>	<b>385,710</b>	<b>99.0%</b>	<b>3,798</b>	<b>1.0%</b>							
<b>B. Claims Reviewed to Later Notice</b>													
	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		Total Requests	Claims with Later Notice	Remaining Claims	
				#	%			#	%			#	%
1.	Seafood	6,034	5,777	257	4.3%	2,945	2,863	82	2.8%	4,421	4,421	0	0.0%
2.	IEL	20,139	19,188	951	4.7%	11,623	11,099	524	4.5%	9,433	9,183	250	2.7%
3.	IPV/FV	116	113	3	2.6%	47	47	0	0.0%	57	57	0	0.0%
4.	BEL	59,951	57,972	1,979	3.3%	34,563	33,495	1,068	3.1%	25,928	25,273	655	2.5%
5.	Start-Up BEL	3,873	3,678	195	5.0%	2,647	2,550	97	3.7%	2,325	2,226	99	4.3%

<sup>4</sup> The total claims received may continue to experience insignificant changes as the CAO continues to process outstanding claims.

**Table 1. Throughput Analysis of Claims Filed and Notices Issued.**

<b>B. Claims Reviewed to Later Notice</b>													
	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		Total Requests	Claims with Later Notice	Remaining Claims	
				#	%			#	%			#	%
<b>6.</b>	<b>Failed BEL</b>	1,851	1,790	61	3.3%	1,398	1,331	67	4.8%	1,573	1,535	38	2.4%
<b>7.</b>	<b>Coastal RP</b>	6,358	6,295	63	1.0%	1,911	1,904	7	0.4%	2,400	2,400	0	0.0%
<b>8.</b>	<b>Wetlands RP</b>	1,243	1,113	130	10.5%	304	285	19	6.3%	2,223	2,086	137	6.2%
<b>9.</b>	<b>RPS</b>	371	370	1	0.3%	139	139	0	0.0%	266	266	0	0.0%
<b>10.</b>	<b>Subsistence</b>	21,766	21,006	760	3.5%	12,019	11,810	209	1.7%	16,793	13,943	2,850	17.0%
<b>11.</b>	<b>VoO</b>	1,009	997	12	1.2%	447	436	11	2.5%	691	690	1	0.1%
<b>12.</b>	<b>VPD</b>	822	796	26	3.2%	393	383	10	2.5%	317	317	0	0.0%
<b>13.</b>	<b>TOTAL</b>	<b>123,533</b>	<b>119,095</b>	<b>4,438</b>	<b>3.6%</b>	<b>68,436</b>	<b>66,342</b>	<b>2,094</b>	<b>3.1%</b>	<b>66,427</b>	<b>62,397</b>	<b>4,030</b>	<b>6.1%</b>

## 2. 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 has been determined to be payable and the Compensation Amount has been calculated, the CAS team reviews accounting invoices and CAS Sworn Written Statements submitted by the claimant. Table 2 includes information on the number of CAS reviews the CAO has completed to date, whether the Accounting Support documentation was complete, and the dollar amounts reimbursed for each Claim Type.

**Table 2. Claimant Accounting Support.**

	Claim Type	CAS Review Results				Total CAS Review Results		Total Offered CAS Dollar Amounts	
		Complete		Incomplete		Since Last Report	Total to Date	Since Last Report	Total to Date
		Since Last Report	Total to Date	Since Last Report <sup>5</sup>	Total to Date				
1.	<b>BEL</b>	1,523	40,841	130	5,378	1,653	46,219	\$3,888,319.35	\$55,208,982.17
2.	<b>IEL</b>	273	4,117	13	847	286	4,964	\$63,928.65	\$570,995.30
3.	<b>Seafood</b>	0	3,986	0	879	0	4,865	\$0.00	\$1,651,418.31
4.	<b>TOTAL</b>	<b>1,796</b>	<b>48,944</b>	<b>143</b>	<b>7,104</b>	<b>1,939</b>	<b>56,048</b>	<b>\$3,952,248.00</b>	<b>\$57,431,395.78</b>

**C. Claim Notices and Payments.**

Tables 3 and 4 of the Public Report attached in Exhibit A provide detail on the notices and payments issued to date. As of March 31, 2017, the CAO has issued 170,805 Eligibility Notices to unique claims with Payment Offers totaling \$11.5 billion. As of that date, the CAO has made payments on 162,391 claims totaling \$10.2 billion.

**D. Re-Reviews, Reconsiderations, and Appeals.****1. Re-Reviews and Outcomes.**

To date, there have been 215,570 Eligibility or Denial Notices issued from which claimants can or could seek Re-Review. Of those, the window to seek Re-Review has passed or Re-Review has been requested for 212,505. Of those, claimants have requested Re-Review of 36,093 claims. Thus, the rate of Re-Review from all final determinations is 17.0%. The rate of Re-Review from Eligibility Notices is 13.2%, while the rate of Re-Review from Denial Notices is 25.7%.

<sup>5</sup> Changes since the last report include the impact of claims previously deemed Incomplete during CAS Review that are no longer considered Incomplete after a subsequent review. Negative values may occasionally appear in this table, which may occur when a claim has gone through multiple CAS Reviews resulting in a change in the CAS Review result. For example, a claim's CAS Review may change from incomplete to complete when the claimant supplements his/her CAS Review with additional documentation to cure an incompleteness reason.

Table 3 summarizes the Re-Reviews the CAO has completed, the number of Post Re-Review Notices the CAO has issued, and whether the outcome of the Re-Review resulted in an award that was higher than ( ), lower than ( ), or the same as ( ) the outcome previously issued. The table also includes information on whether an original Exclusion Denial was confirmed or overturned on Re-Review.

<b>Table 3. Re-Reviews.</b>											
<b>A. Re-Review Requests and Reviews</b>											
	Claim Type	Requests Received To Date		Notice Issued or Claims Closed		Claims Remaining to Receive Notice or Claims Closed					
						#	%				
1.	Seafood	935		935		0	0.0%				
2.	IEL	1,515		1,461		54	3.6%				
3.	IPV/FV	14		14		0	0.0%				
4.	BEL	13,077		12,728		349	2.7%				
5.	Start-Up BEL	1,182		1,110		72	6.1%				
6.	Failed BEL	641		630		11	1.7%				
7.	Coastal RP	1,268		1,268		0	0.0%				
8.	Wetlands RP	4,362		4,221		141	3.2%				
9.	RPS	135		135		0	0.0%				
10.	Subsistence	12,840		9,616		3,224	25.1%				
11.	VoO	70		70		0	0.0%				
12.	VPD	54		54		0	0.0%				
13.	<b>TOTAL</b>	<b>36,093</b>		<b>32,242</b>		<b>3,851</b>	<b>10.7%</b>				
<b>B. Re-Review Notices Issued</b>											
	Claim Type	Outcome of Re-Review Notice <sup>6</sup>									
		Compensation Amount for Eligible Claims						Exclusions/Denials			
								Confirmed		Overturned	
		#	%	#	%	#	%	#	%	#	%
1.	Seafood	476	50.9%	54	5.8%	266	28.4%	108	11.6%	31	3.3%
2.	IEL	382	26.1%	59	4.0%	457	31.3%	501	34.3%	62	4.2%
3.	IPV/FV	0	0.0%	0	0.0%	0	0.0%	13	92.9%	1	7.1%
4.	BEL	4,369	34.3%	461	3.6%	1,455	11.4%	4,834	38.0%	1,609	12.6%
5.	Start-Up BEL	119	10.7%	12	1.1%	42	3.8%	736	66.3%	201	18.1%
6.	Failed BEL	17	2.7%	10	1.6%	92	14.6%	396	62.9%	115	18.3%

<sup>6</sup> Changes to the figures related to an outcome of a Re-Review Notice as compared to the previous outcome is a result of claims receiving a new Notice and subsequently requesting further Re-Review, which resulted in the removal of the claims associated with these new Re-Review requests from this Report.

<b>Table 3. Re-Reviews.</b>											
<b>B. Re-Review Notices Issued</b>											
	Claim Type	Outcome of Re-Review Notice <sup>7</sup>									
		Compensation Amount for Eligible Claims						Exclusions/Denials			
								Confirmed		Overturned	
		#	%	#	%	#	%	#	%	#	%
<b>7.</b>	<b>Coastal RP</b>	66	5.2%	6	0.5%	158	12.5%	980	77.3%	58	4.6%
<b>8.</b>	<b>Wetlands RP</b>	79	1.9%	851	20.2%	262	6.2%	2,981	70.6%	48	1.1%
<b>9.</b>	<b>RPS</b>	1	0.7%	0	0.0%	3	2.2%	94	69.6%	37	27.4%
<b>10.</b>	<b>Subsistence</b>	5,410	56.3%	555	5.8%	1,079	11.2%	1,232	12.8%	1,340	13.9%
<b>11.</b>	<b>VoO</b>	7	10.0%	5	7.1%	18	25.7%	35	50.0%	5	7.1%
<b>12.</b>	<b>VPD</b>	23	42.6%	3	5.6%	13	24.1%	14	25.9%	1	1.9%
<b>13.</b>	<b>TOTAL</b>	<b>10,949</b>	<b>34.0%</b>	<b>2,016</b>	<b>6.3%</b>	<b>3,845</b>	<b>11.9%</b>	<b>11,924</b>	<b>37.0%</b>	<b>3,508</b>	<b>10.9%</b>

## 2. Reconsideration Reviews and Outcomes.

To date, there have been 384,413 Eligibility, Denial, or Incompleteness Denial Notices issued from which claimants can or could seek Reconsideration. Of those, the window to seek Reconsideration has passed or Reconsideration has been requested for 379,030. Of those, claimants have requested Reconsideration of 66,427 claims. Thus, the rate of Reconsideration from all final determinations is 17.5%. The rate of Reconsideration from Eligibility Notices is 6.2%, while the rate of Reconsideration from Denial or Incompleteness Denial Notices is 28.1%.

Table 4 summarizes the Reconsiderations the CAO has completed, the number of Post-Reconsideration Notices the CAO has issued, and whether the outcome of the Reconsideration review resulted in an award that was higher than ( ), lower than ( ), or the same as ( ) the outcome previously issued. The table also includes information on whether an original Exclusion Denial was confirmed or overturned on Reconsideration.

<sup>7</sup> Changes to the figures related to an outcome of a Re-Review Notice as compared to the previous outcome is a result of claims receiving a new Notice and subsequently requesting further Re-Review, which resulted in the removal of the claims associated with these new Re-Review requests from this Report.



**Table 4. Reconsideration.**

<b>A. Reconsideration Requests and Reviews</b>											
	Claim Type	Requests Received To Date		Notice Issued or Claims Closed	Claims Remaining to Receive Notice or Claims Closed						
					#	%					
1.	Seafood	4,421		4,421	0	0.0%					
2.	IEL	9,433		9,183	250	2.7%					
3.	IPV/FV	57		57	0	0.0%					
4.	BEL	25,928		25,273	655	2.5%					
5.	Start-Up BEL	2,325		2,226	99	4.3%					
6.	Failed BEL	1,573		1,535	38	2.4%					
7.	Coastal RP	2,400		2,400	0	0.0%					
8.	Wetlands RP	2,223		2,086	137	6.2%					
9.	RPS	266		266	0	0.0%					
10.	Subsistence	16,793		13,943	2,850	17.0%					
11.	VoO	691		690	1	0.1%					
12.	VPD	317		317	0	0.0%					
13.	<b>TOTAL</b>	<b>66,427</b>		<b>62,397</b>	<b>4,030</b>	<b>6.1%</b>					
<b>B. Reconsideration Notices Issued</b>											
	Claim Type	Outcome of Reconsideration Notice <sup>8</sup>									
		Compensation Amount for Eligible Claims						Exclusions/Denials			
								Confirmed		Overturned	
		#	%	#	%	#	%	#	%	#	%
1.	Seafood	813	18.4%	181	4.1%	569	12.9%	2,250	50.9%	608	13.8%
2.	IEL	248	2.7%	84	0.9%	681	7.4%	5,862	63.8%	2,308	25.1%
3.	IPV/FV	0	0.0%	0	0.0%	0	0.0%	55	96.5%	2	3.5%
4.	BEL	1,176	4.7%	279	1.1%	1,532	6.1%	12,311	48.7%	9,975	39.5%
5.	Start-Up BEL	30	1.3%	8	0.4%	72	3.2%	1,526	68.6%	590	26.5%
6.	Failed BEL	8	0.5%	17	1.1%	98	6.4%	1,153	75.1%	259	16.9%
7.	Coastal RP	97	4.0%	21	0.9%	469	19.5%	1,467	61.1%	346	14.4%
8.	Wetlands RP	79	3.8%	29	1.4%	234	11.2%	1,652	79.2%	92	4.4%
9.	RPS	1	0.4%	0	0.0%	4	1.5%	233	87.6%	28	10.5%
10.	Subsistence	2,303	16.5%	276	2.0%	926	6.6%	5,085	36.5%	5,353	38.4%
11.	VoO	59	8.6%	4	0.6%	127	18.4%	425	61.6%	75	10.9%
12.	VPD	52	16.4%	2	0.6%	21	6.6%	156	49.2%	86	27.1%
13.	<b>TOTAL</b>	<b>4,866</b>	<b>7.8%</b>	<b>901</b>	<b>1.4%</b>	<b>4,733</b>	<b>7.6%</b>	<b>32,175</b>	<b>51.6%</b>	<b>19,722</b>	<b>31.6%</b>

<sup>8</sup> Changes to the figures related to outcomes of Reconsideration Notices as compared to the previous outcomes are a result of multiple claimants receiving new Notices and subsequently requesting further Reconsideration, which resulted in the removal of the claims associated with these new Reconsideration requests from this Report.

### 3. Appeals.

#### (a) BP Appeals.

To date, the CAO has issued 43,655 Eligibility Notices that meet or exceed the threshold amount rendering them eligible for appeal by BP. Of those, BP has either filed an appeal or the deadline for BP to file an appeal has passed for 43,398 Notices. Of those 43,398 Notices, BP has filed 9,152 appeals, a 21.1% appeal rate. Table 5 provides summary information on the status of BP appeals.

<b>Table 5. Status of BP Appeals.</b>				
<b>A. Appeal Filing/Resolution</b>				
	<b>Status</b>	<b>As of Last Report</b>	<b>Since Last Report</b>	<b>Total</b>
<b>1.</b>	<b>BP Appeals Filed</b>	<b>8,444</b>	<b>708</b>	<b>9,152</b>
<b>2.</b>	<b>Resolved Appeals</b>	<b>8,048</b>	<b>488</b>	<b>8,536</b>
(a).	Resolved by Panel Decision	3,264	184	3,448
(b).	Resolved by Parties	1,541	107	1,648
(c).	Remand to Claims Administrator	344	37	381
(d).	Discretionary Court Review Granted	159	1	160
(e).	Administratively Closed	451	105	556
(f).	Withdrawn	506	3	509
(g).	Inactive Under Reconsideration/Re-Review	338	51	389
(h).	Return for Review Under Policy 495	1,445	0	1,445
<b>B. Pending Appeals</b>				
<b>1.</b>	<b>In "Baseball" Process</b>		<b>387</b>	
<b>2.</b>	<b>Submitted to Panel</b>		<b>185</b>	
<b>3.</b>	<b>Under Discretionary Court Review</b>		<b>44</b>	
<b>4.</b>	<b>TOTAL PENDING</b>		<b>616</b>	

#### (b) Claimant Appeals.

Before a claimant may file an appeal, the claimant must request Reconsideration and receive a Post-Reconsideration Eligibility or Denial Notice. To date, the CAO has issued 25,046 Post-Reconsideration Eligibility and Denial Notices. Of those, the claimant has either filed an appeal or the deadline for the claimant to file an appeal has passed for 23,549 Notices. Of those 23,549 Notices, claimants have filed 5,935 appeals, a 25.2% appeal rate. Of the 5,935 claimant

appeals, 4,522 are appeals of Post-Reconsideration Denial Notices, while 1,413 are appeals of Post-Reconsideration Eligibility Notices. Table 6 provides summary information on the status of Claimant Appeals.

<b>Table 6. Status of Claimant Appeals.</b>				
<b>A. Appeal Filing/Resolution</b>				
	<b>Status</b>	<b>As of Last Report</b>	<b>Since Last Report</b>	<b>Total</b>
<b>1.</b>	<b>Claimant Appeals Filed</b>	<b>5,052</b>	<b>883</b>	<b>5,935</b>
<b>2.</b>	<b>Resolved Appeals</b>	<b>4,032</b>	<b>753</b>	<b>4,785</b>
(a).	<b>Resolved by Panel Decision</b>	2,622	459	3,081
(b).	<b>Resolved by Parties</b>	127	9	136
(c).	<b>Remand to Claims Administrator</b>	473	146	619
(d).	<b>Discretionary Court Review Granted</b>	275	14	289
(e).	<b>Administratively Closed</b>	212	105	317
(f).	<b>Withdrawn</b>	233	20	253
(g).	<b>Return for Review Under Policy 495</b>	90	0	90
<b>B. Pending Appeals</b>				
<b>1.</b>	<b>In “Baseball” Process</b>		80	
<b>2.</b>	<b>In “Non-Baseball” Process</b>		443	
<b>3.</b>	<b>Submitted to Panel</b>		306	
<b>4.</b>	<b>Under Discretionary Court Review</b>		321	
<b>5.</b>	<b>TOTAL PENDING</b>		<b>1,150</b>	

**(c) Resolved Appeals.**

As reported in the table below, 13,321 appeals have been resolved. Table 7 provides a summary of these resolved appeals by Claim Type. The comparison between the Post-Appeal Award Amount and the Award Amount within the original notice does not take into consideration the 5.0% increase in compensation that a claimant who prevails upon appeal receives.

**Table 7. Outcome After Appeal.**

Claim Type		Appeals Settled or Decided by Panel						DR Grant	With-drawn	Admin. Closed	Inactive Under Recon./Re-Review	Return for Review Under Policy 495	Total
		Compensation Amount Following Appeal Compared to That of Original Notice											
		Higher	Lower	Same	Denial Upheld	Denial Over-turned	Remand						
1.	Seafood	90	23	185	64	10	27	6	55	45	9	0	<b>514</b>
2.	IEL	27	77	155	138	19	72	9	19	42	8	0	<b>566</b>
3.	IPV/FV	0	0	0	2	1	0	0	0	1	0	0	<b>4</b>
4.	BEL	140	1,816	3,053	1,240	197	561	421	487	722	356	1,535	<b>10,528</b>
5.	Coastal RP	48	1	39	201	9	7	5	8	11	0	0	<b>329</b>
6.	Wetlands RP	10	11	15	141	4	10	3	7	16	16	0	<b>233</b>
7.	RPS	0	8	27	44	0	1	4	5	2	0	0	<b>91</b>
8.	Subsistence	13	3	54	100	67	302	1	145	22	0	0	<b>707</b>
9.	VoO	18	33	50	69	21	7	0	28	4	0	0	<b>230</b>
10.	VPD	2	30	34	24	0	13	0	8	8	0	0	<b>119</b>
11.	<b>TOTAL</b>	<b>348</b>	<b>2,002</b>	<b>3,612</b>	<b>2,023</b>	<b>328</b>	<b>1,000</b>	<b>449</b>	<b>762</b>	<b>873</b>	<b>389</b>	<b>1,535</b>	<b>13,321</b>

**(d) Incompleteness Appeals.**

The Appeal for Insufficient Documentation (Incompleteness Appeal) allows Economic Class Members to have their claims reviewed by a separate Documentation Reviewer when the CAO denies their claims because of insufficient documentation. The Documentation Reviewer reviews the claimant's documentation to determine whether the Settlement Program correctly denied the claim.

Before sending the claim to the Documentation Reviewer, the CAO reviews the appeal request along with any newly submitted documents. If the claimant has submitted the requested documentation and cured the incompleteness, the CAO issues the appropriate Notice. If the claimant still has not submitted the requested documentation, the CAO sends the claim to the Documentation Reviewer for review.

Before a claimant may file an appeal of an Incompleteness Denial, the claimant must request Reconsideration and receive a Post-Reconsideration Incompleteness Denial Notice. To date, the CAO has issued 15,083 Post-Reconsideration Incompleteness Denial Notices. Of those, the claimant's appeal deadline has passed or an appeal has been filed for 14,932 Notices. Of the 14,932 Notices eligible for appeal, 8,996 (60.2%) appeal requests have been filed. Table 8 provides summary information on the status of Incompleteness Appeals.

<b>Table 8. Incompleteness Appeals.</b>				
<b>A. Incompleteness Appeal Filing/Resolution</b>				
	<b>Status</b>	<b>As of Last Report</b>	<b>Since Last Report</b>	<b>Total</b>
<b>1.</b>	<b>Incompleteness Appeals Filed</b>	<b>8,229</b>	<b>767</b>	<b>8,996</b>
<b>2.</b>	<b>Appeals Resolved</b>	<b>6,137</b>	<b>1,330</b>	<b>7,467</b>
(a).	Withdrawn/Closed Claims	522	68	590
(b).	Cured	2,667	831	3,498
(c).	Incompleteness Denial Affirmed	2,427	337	2,764
(d).	Incompleteness Denial Overturned	521	94	615
<b>B. Pending Incompleteness Appeals</b>				
<b>3.</b>	<b>In Pre-Documentation Reviewer Process</b>		1,166	
<b>4.</b>	<b>Currently Before Documentation Reviewer</b>		363	
<b>5.</b>	<b>TOTAL PENDING</b>		<b>1,529</b>	

**(e) Fifth Circuit Appeals.**

As a result of decisions handed down by the United States Court of Appeals for the Fifth Circuit (the "Fifth Circuit") on May 8, 2015, the Parties now have the right to notice further appeals to the Fifth Circuit from rulings made by the District Court on discretionary review of individual claims. The CAO has finalized procedures with the District Court to implement and facilitate the Fifth Circuit's rulings since changes were required with respect to the docketing of discretionary review requests and rulings, and the creation of appeal records. Claimants primarily have taken appeals to the Fifth Circuit, which appeals are in various stages of the appellate process.

**E. Seafood Supplemental and Residual Distribution.**

The Settlement Agreement calls for BP to finance a \$2.3 billion Seafood Compensation Program Settlement Fund. The Settlement Agreement states that any balance available after the first distribution will be distributed to each claimant in proportion to the claimant's gross compensation, unless the Court-Appointed Seafood Neutrals recommend a different formula. The Court's Order (as originally issued on November 18, 2014, and as procedurally amended on June 16, 2016 to expedite the completion of the process) approved a partial Supplemental Distribution targeted at \$500 million of the remaining undistributed portion of the aggregate \$2.3 billion fund for the Seafood Compensation Program. Payments will be disbursed in multiple phases.

As of March 31, 2016, the Settlement Program has issued 5,111 Seafood Supplemental Distribution Round One Eligibility Notices for a total value of \$504,928,302. The Seafood Supplemental Distribution Round One Notices are included in the report where appropriate. As of March 31, 2016, the Settlement Program has issued Supplemental Distribution Round One payments of \$504,558,071 to 4,593 claimants.

On December 17, 2015, the Claims Administrator submitted a letter report and recommendations to the Court providing for a subsequent distribution ("Supplemental Distribution Round Two"), and thereafter a residual distribution. After the Court approved the Claims Administrator's report and recommendations on January 7, 2016, the Settlement Program began issuing Seafood Supplemental Round Two Eligibility Notices. As of March 31, 2016, the Settlement Program has issued 619 Seafood Supplemental Distribution Round Two Eligibility Notices for a total value of \$33,909,597. The Seafood Supplemental Distribution Round Two Notices are included in the report where appropriate. As of March 31, 2016, the Settlement

Program has issued Supplemental Distribution Round Two payments of \$33,553,532 to 544 claimants.

On October 4, 2016, the Claims Administrator began issuing Seafood Residual Distribution Notices allocating the remaining Seafood Compensation Program Settlement Fund. As of March 31, 2016, the Settlement Program has issued 5,502 Seafood Residual Distribution Notices for a total value of \$521,626,754. The Seafood Residual Distribution Notices are included in the report where appropriate. As of March 31, 2016, the Settlement Program has issued Residual Distribution payments of \$519,612,438 to 5,048 claimants.

## **II. CONCLUSION**

The Claims Administrator offers this Report to ensure that the Court is informed of the status of the Settlement Program to date. If the Court would find additional information helpful, the Claims Administrator stands ready to provide it at the Court's convenience.

/s/ Patrick 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 LexisNexis 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/ECF System, which will send a notice of electronic filing in accordance with the procedures established in MDL 2179, on this 27th day of April, 2017.

/s/ Patrick Juneau  
PATRICK A. JUNEAU  
CLAIMS ADMINISTRATOR