

MINUTE ENTRY
WILKINSON, M. J.
FEBRUARY 21, 2018

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”

THIS DOCUMENT RELATES TO:

JUDGE BARBIER
MAG. JUDGE WILKINSON

Civil Action Nos. 12-970, 15-4143,
15-4146 and 15-4654

CLAIM APPEAL DETERMINATION AND REASONS

[Halliburton and Transocean Settlement]

The Claims Administrator has provided me with the Appeal Form, Appeal Determination Notice, Court Review Request, Claim Form, Settlement Program Appeal Determination Letter and letters from claimants’ counsel concerning the appeal of [REDACTED] [REDACTED], denying his claim for payment from the Halliburton/Transocean Settlement Agreements.

Having reviewed these materials, the determination of the Claims Administrator is AFFIRMED essentially for the reasons provided by the Claims Administrator, which are wholly consistent with the Settlement Agreements, the Allocation and the court’s orders approving the Settlement Agreements, the Distribution Model and the law

supporting them. No basis requiring a different result has been provided. Claimant never previously asserted the subsistence claim he now proffers, either in a lawsuit or in the separate DHEPDS program; nor did he comply with Pretrial Order No. 60. His prior payment from the DHEPDS was for a category of compensatory damages that does not support the recovery of punitive damages. The legal basis for these requirements concerning prior claim assertion, particular types of underlying compensatory damages to support punitive damages recovery and compliance with Pretrial Order No. 60 is explained in In re Oil Spill by the Oil Rig “Deepwater Horizon”, No. 2179, 2018 WL 334030 (E.D. La. Jan. 4, 2018), and in the Allocation.



JOSEPH C. WILKINSON, JR.
UNITED STATES MAGISTRATE JUDGE

**CLERK TO NOTIFY:
HON. CARL J. BARBIER
and
HESI/TRANSOCEAN SETTLEMENT
CLAIMS ADMINISTRATOR**