

MINUTE ENTRY
WILKINSON, M. J.
MAY 1, 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, including the supporting briefs of claimant’s counsel; Appeal Determination Notice; Court Review Request; Claim Form; and Settlement Program Appeal Determination Letter concerning the appeal of [REDACTED], Claim No. [REDACTED]; denying her 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. The reasons supporting the requirements of having received prior payment of a Deepwater Horizon Economic and Property Damages Settlement [‘DHEPDS’] claim or from a neutrals settlement and compliance with Pretrial Order No. 60 are set out in detail in In

MJSTAR: 0 : 55

re Oil Spill by the Oil Rig “Deepwater Horizon”, No. 2179, 2018 WL 334030 (E.D. La. Jan. 4, 2018). In addition, the United States Court of Appeals for the Fifth Circuit has recently affirmed the validity, enforceability and requirement of compliance with Pretrial Order No. 60 in In Re: Deepwater Horizon, (“Eduardo Pineiro Perez v. BP, P.L.C. et al.” and consolidated cases), 713 F. App’x 360, 363 (5th Cir. 2018).

The assertions in the briefs of claimant’s counsel that her claim “is still pending an eligibility determination with the claims administrator” in the separate DHEPDS program supports denial of her claim for a Halliburton/Transocean settlement payment at this time. If she in fact ever receives such a DHEPDS payment, [REDACTED] will automatically become eligible for payment under the New Class distribution model from the Halliburton/Transocean Settlements. Claimant is instructed to resubmit this claim, when and if she receives a DHEPDS payment.



JOSEPH C. WILKINSON, JR.
UNITED STATES MAGISTRATE JUDGE

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