

MINUTE ENTRY
WILKINSON, M. J.
DECEMBER 11, 2019

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

CLAIMS APPEAL DETERMINATION AND REASONS

[Halliburton and Transocean Settlement]

The Claims Administrator has provided me with the Appeal Determination Notice, Appeal Form, Court Review Request, Claim Form, Settlement Program Appeal Determination Letter, the submissions of claimant’s counsel and administrative mailings concerning the appeal of [REDACTED], Claim No. [REDACTED] (“claimant”), denying its claim for payment from the Halliburton/Transocean Settlement Agreements. Having reviewed these materials, the determination of the Claims Administrator is **VACATED**, and the claim is **REMANDED** for further consideration.

The Claims Administrator determined that claimant was not eligible for compensation because the documents submitted by the claimant did not establish that it was involved in recreational fishing operations.

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After the Claims Administrator's determination, claimant submitted with its Court Review Request a license record showing 2010 Charterboat and Charter Captain licenses and a copy of its current website, which advertises recreational spearfishing and diving services. When coupled with claimant's Charterboat Operator/Crew Claimant Sworn Written Statement, which is sworn under penalty of perjury, and claimant's previously submitted 2010 bank statements showing PayPal and credit card deposits, this documentation may be sufficient evidence that claimant is potentially eligible for payment of its Charterboat Operator claim.

Accordingly, **IT IS ORDERED** that the decision of the Claims Administrator is **VACATED**, and this claim is **REMANDED** to the administrator for consideration of the materials submitted by claimant and a new determination of this claim based on the information submitted with its Court Review Request.



JOSEPH C. WILKINSON, JR.
UNITED STATES MAGISTRATE JUDGE

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

