

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 2179
	*	SECTION: J(2)
Applies to:	*	JUDGE BARBIER
Nos. 12-970, 15-4143, 15-4146, 15- 4654	*	MAG. JUDGE CURRAULT

CLAIMS APPEAL DETERMINATION AND REASONS

[Halliburton and Transocean Settlements]

Re: [REDACTED]
Claim No. [REDACTED], Transaction Nos. 5 & 6

Claimant [REDACTED] appeals the denial of two Oyster Leaseholder claims in the Halliburton and Transocean Settlements.¹

The Claims Administrator denied these claims because “[t]he location you claimed does not fall within an eligible compensation zone.” Claimant’s appeal within the Settlement Program was denied. The Appeal Determination Notice states:

No additional documentation was provided that addressed the underlying deficiency conditions; the claim still lacks the required documentation to establish eligibility for compensation. Furthermore, it should be noted that this claim type is only related to the proprietary interest in an oyster lease, which counsel indicates in his letter his client does not have. As such, the underlying determination of the Settlement[] Program is affirmed, and the claim will not be eligible for a payment .

...

Claimant submits to this Court an Aquaculture Lease Renewal and nothing else. Claimant provides no argument or explanation as to why the Claims Administrator’s

¹ See Settlements § 8(e) (Rec. Docs. 14644, 153221); Order of 6/01/20 (Rec. Doc. 26512).


decision was incorrect.

Oyster Leaseholder Claims are determined “in similar fashion to the DHEPDS framework on an acreage basis depending on the location of the lease *within the DHEPDS Oyster Leasehold Compensation Zone.*” (New Class Distribution Model at 10, Rec. Doc. 18797) (emphasis added). The Aquaculture Lease Renewal is for a 2-acre tract located near St. James City in Lee County, Florida, which is roughly 280 miles from the nearest Oyster Leasehold Compensation Zone. (See DHEPDS Settlement, Ex. 10, Sub-Ex. 1, Rec. Doc. 6430-11 at ECF p. 49). Therefore, the Claims Administrator properly denied these claims.

Accordingly,

IT IS ORDERED that the Claims Administrator’s decisions are AFFIRMED, and [REDACTED]’s claims shall remain DENIED.

New Orleans, Louisiana, this 27th day of January, 2021.


United States District Judge