

**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”

**This Document Relates To:
No. 15-4143, 15-4146 & 15-4654**

**Judge Barbier
Mag. Judge Shushan**

**REPORT BY THE NEW CLASS CLAIMS ADMINISTRATOR OF THE
HALLIBURTON AND TRANSOCEAN SETTLEMENTS**

STATUS REPORT NO.

3

DATE

August 1, 2016

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**JUDGE BARBIER
MAG. JUDGE SHUSHAN**

**REPORT BY THE NEW CLASS CLAIMS ADMINISTRATOR OF THE
HALLIBURTON AND TRANSOCEAN SETTLEMENTS
STATUS REPORT NO. 3, AUGUST 1, 2016**

The New Class Claims Administrator of the HESI Punitive Damages and Assigned Claims Settlement Agreement and the Transocean Punitive Damages and Assigned Claims Settlement Agreement (Settlement Agreements) submits this quarterly report (Status Report) pursuant to this Court’s October 23, 2015 Order [Rec. Doc. 15481] to inform the Court on the status of implementation of the Settlement Agreements as of August 1, 2016. All capitalized terms in this Status Report shall have the same meaning as in the Settlement Agreements and orders of this Court, or as otherwise set forth herein.

I. STATUS OF IMPLEMENTATION OF SETTLEMENT AGREEMENTS

A. Overview

The New Class Claims Administrator filed the proposed New Class Distribution Model on June 13, 2016, in advance of the June 15, 2016 deadline set by the Court [Rec. Doc 16183].

Any objections to the Settlements, the New Class Distribution Model, and/or the Old Class Distribution Model are due to be submitted directly to the Court, Plaintiffs’ Steering Committee (PSC), and Parties no later than September 23, 2016. To date no objections have been noted as being recorded on the docket.

On June 15, 2016, Garden City Group, LLC (GCG) implemented the Individual Notice aspects of the Court-approved Notice Plan as well as assisting the New Class Claims Administrator with set up of the website, toll-free helpline with live operators, and PO Box per the instructions of the Plaintiffs' Steering Committee, Parties, New Class Claims Administrator, and Notice Expert. New Class claimants were allowed to begin filing claims concurrent with the launch of the notice program.

Class members for both settlements have until September 23, 2016, to request exclusion from the classes and opt out of the Settlements. To date 2 opt out requests have been received. Opt out requests are forwarded to the PSC and Parties pursuant to the direction of the New Class Claims Administrator in accordance with the Settlement Agreements at Section 21.

The New Class Claim Form is available and a limited number of claims have been received; the filing deadline will not occur until December 15, 2016, per the rescheduling Order entered on May 6, 2016 [Rec. Doc. 16900].

B. Notice Program

June 15, 2016 was utilized as the initial mailing date as agreed upon by the PSC, Parties, and Kinsella Media, LLC, along with the Old and New Class Claims Administrators and GCG.

Mailing and Email Campaign

In accordance with the Notice Plan approved as part of the Preliminary Approval Order [Rec. Doc. 16183] the short form notice was mailed to 442,464 potential Old and/or New Class members. Additionally, 75,355 email notices were sent. In instances where an email was undeliverable, a short form notice was sent by mail. Additionally, any mailed notices returned to GCG by the United States Postal Service are re-mailed if a forwarding address is provided. This resulted in an additional 1,184 notices being mailed or re-mailed between July 1, 2016 and July 31, 2016.

Toll-Free Helpline

The toll-free helpline, 1-877-940-7792, began handling calls on June 15, 2016, in conjunction with the mail and email notice campaign. Customer service representatives are available Monday through Friday from 9:00 am – 5:30 pm Eastern Time, with the exception of holidays. These representatives answer questions about the Old and New Class settlements with HESI and Transocean and assist claimants in determining their eligibility and if any additional filing is necessary to participate in the Settlements.

The toll-free helpline also provides detailed pre-recorded messages to give immediate answers to basic questions around the clock. These messages help keep wait times to a minimum during peak call hours in addition to reducing messages left outside of normal operating hours, live operator time, and overall administrative costs by effectively addressing questions without the necessity of live operator assistance.

Website

The notice program is further supported by the dedicated website, GulfSpillPunitiveDamagesSettlement.com, which also launched on June 15, 2016. The information provided on the site includes downloadable copies of Court documents, the Settlement Agreements, the New Class Claim Form and supporting sworn written statement and administrative forms for actions like a change of address or appointment of a legal representative/guardian/etc.

The website also includes an interactive form to assist potential New Class members in determining if a Claim Form will be required to be submitted. By utilizing this resource, potential claimants can determine if necessary documentation is already available to the New Class Claims Administrator, thus eliminating the need to file a New Class Claim Form, or if a New Class Claim Form must be filed to have an eligibility determination made. A hard copy question-and-answer formatted version is also part of the New Class Claim Form available for download or to be sent by US Mail upon request by phone, email, or mail.

Various Frequently Asked Questions and their answers are also posted in addition to summaries of potential Old and New Class members' legal rights and responsibilities.

Settlements Program Email Address

The website also provides potential Class members with the program's email address as well as a form for making inquiries directly from the site.

Under the supervision of the New Class Claims Administrator, program representatives began answering questions received by email from Old and New Class members along with attorneys and claims preparers regarding class membership, eligibility requirements, and other general questions related to the Settlements once the site was launched, and will continue to do so through conclusion of all distributions. The New Class Claims Administrator has also personally corresponded with, spoken to, and/or met with potential New Class members or their individual counsel presenting unique situations and novel questions to ensure efficient and accurate handling of these inquiries.

C. Claims Process

Only a small number of claim forms have been received to date, which is consistent both with the short time since the notice mailing commenced and the limited number of individuals and entities that will need to file a New Class Claim Form to have their claims considered by the New Class Claims Administrator.

Recording of demographic information and basic claim type data in the New Class claims database will begin shortly. This "Stage 1" limited processing will allow the New Class Claims Administrator to send acknowledgments to parties that have submitted claims on a rolling basis in an effort to minimize follow up by Class members interested in an update on the progress of these claims.

In a further effort to minimize administrative costs, “Stage 2” substantive processing of the underlying New Class claims and application of the calculation methodologies proposed in the New Class Distribution Model will not occur until the New Class Distribution Model is finalized after being approved by the Court and is no longer subject to appeal. This bifurcation of processing will streamline the substantive processing of these claims and limit follow-up.

II. CONCLUSION

The New Class Claims Administrator respectfully submits this third Status Report so that the Court may be fully apprised of the status of the implementation of the Settlement Agreements. In the event the Court would like additional information the New Class Claims Administrator is prepared to provide further details at the Court’s request.

/s/ Michael J. Juneau
MICHAEL J. JUNEAU
NEW CLASS
CLAIMS ADMINISTRATOR