

**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
Chief Magistrate Judge
Joseph C. Wilkinson, Jr.**

**REPORT BY THE HALLIBURTON AND TRANSOCEAN
SETTLEMENTS’ OLD AND NEW CLASS CLAIMS
ADMINISTRATORS**

STATUS REPORT NO.	8	DATE	November 1, 2017
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**JOINT STATUS REPORT BY THE HALLIBURTON AND TRANSOCEAN
SETTLEMENTS’ OLD AND NEW CLASS CLAIMS ADMINISTRATORS
STATUS REPORT NO. 8 FILED NOVEMBER 1, 2017**

The Old and New Class Claims Administrators for the HESI Punitive Damages and Assigned Claims Settlement Agreement and the Transocean Punitive Damages and Assigned Claims Settlement Agreement (Settlement Agreements) submit this 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. 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

Old Class

The DHEPDS Settlement Program continues to engage in its work to complete determinations for the limited remaining population of DHEPDS claims. As the Court is aware, until all DHEPDS claims are determined, including the expiration of any rights to request re-review, reconsideration, appeal under Section 6 of the DHEPDS Settlement Agreement,

discretionary Court review, or appeal to the United States Fifth Circuit Court of Appeals, the Old Class distribution pro rata cannot be established.

New Class

Over the past quarter, the New Class Claims Administrator has continued to review supporting documentation and send deficiency and determination letters to claimants who filed claims postmarked on or before the December 15, 2016 filing deadline. Additionally, some claimants have filed internal appeals within the program that have been reviewed and determined.

B. Claims Process

Old Class

It is still anticipated that the DHEPDS determinations will be complete by the end of 2017 after implementing the Court's instructions regarding Policy 495 following the Fifth Circuit Court of Appeals' decision in May 2017. Preparations for the Old Class distribution will begin as soon as practicable after all DHEPDS determinations are complete as no additional action will be required on the part of DHEPDS Class Members.

New Class

Stage 2 processing remains underway for the new claims received by the December 15, 2016 filing deadline.

Oyster leaseholder mapping and zone determinations have been completed at this time. The Wetlands Real Property claims and a portion of the Coastal Real Property claims for governmental entities remain in review with the GIS experts for zone and various mapping determinations.

The Settlement Program has continued to mail letters regarding deficiency and general eligibility on a rolling basis. As of October 31, 2017, 1,872 Deficiency and Determination letters have been sent in relation to the 3,161 Claim Forms filed. Attorneys and claimants have provided additional documentation in response to deficiency letters, which is currently being processed in advance of issuing determinations.

There have been 381 appeals received to date. A portion of the appeal requests were withdrawn after follow up with the claimant or attorney regarding the underlying issues (*e.g.*,

there is a valid DHEPDS claim in place that will result in payment such that the new claim was denied). Of those appeals that remained, all but three have been determined and 14 others have letters pending. If the appeal request was denied, the Appeal Determination Letter included the option to request Court Review. There are 86 active requests for Court Review as of October 31, 2017, which are currently being prepared for forwarding to Chief Magistrate Judge Wilkinson for consideration.

At this time, the New Class Claims Administrator anticipates that New Class claim review, determination, and the internal Settlements Program review process will be completed within the next few months.

Determinations and Distribution

There have been no significant changes to the anticipated timelines for distribution for either Class. It is currently anticipated that Old Class distribution will occur in Summer 2018, while the New Class distribution is expected to take place 4-6 months after the DHEPDS determinations are all final.

II. CONCLUSION

The Old and New Class Claims Administrators respectfully submit this 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 Old and New Class Claims Administrators are prepared to provide further details at the Court's request.

/s/ Patrick A. Juneau
PATRICK A. JUNEAU
OLD CLASS CLAIMS ADMINISTRATOR

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