

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 No. 1

Claimant [REDACTED] appeals the denial of its Coastal Real Property claim in the Halliburton and Transocean Settlements.¹

The issue is whether the claimed parcel is located within the Coastal Real Property Zone as required under the New Class Distribution Model (*See Rec. Doc. 18797*). [REDACTED] submitted a claim form attached to which was a 2010 tax bill for parcel [REDACTED] in Jefferson Parish, Louisiana. The tax bill describes the property as “[REDACTED].” Also attached to the claim were four documents entitled “CASH SALE DEED.”

On April 6, 2018, the Settlement Program denied the claim because “[t]he location you claimed does not fall within an eligible compensation zone.” [REDACTED] filed an administrative appeal within the Settlement Program, which stated, “This property is located within an eligible compensation zone. The Claims Administrator’s

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

GIS system is flawed. We request review based on the property description contained in the deed.” On October 26, 2018, the Settlement Program sent an email to [REDACTED]’s attorney that states, in relevant part:

The mapping vendor is unable to locate this parcel with sufficient precision to determine its Real Property Zone status. The vendor has identified two surveys referenced by the deeds which they believe may assist in determining the zone location of this parcel. The surveys are described as the “[REDACTED]”

Please submit these documents and any other documents that may assist in determining the zone location of these parcels.²

[REDACTED] did not provide the requested documents.

The Settlement Program subsequently denied [REDACTED]’s appeal. The Appeal Determination Notice states that the property “lies outside of any applicable compensation zone as detailed in the New Class Distribution Model.” It further explains that “an opportunity was given to [REDACTED] to produce surveys mentioned in the parcel’s legal description, but additional documentation was not provided for review by the Claims Administrator.”

[REDACTED] asserts in its Court Review Request that its parcel is beach front property on Grand Isle, Louisiana, that was oiled. [REDACTED] provides no evidence to prove the location of the property other than the documents mentioned above. The Court cannot determine the location of this property from this evidence. Notably, [REDACTED] did not produce the survey or other documents requested in the Settlement

² Admin. Mail 4.

Program's October 26, 2018 email.³ The Court will not overturn the Settlement Program's determination on this record.

Accordingly,

IT IS ORDERED that the Settlement Program is AFFIRMED, and ██████'s claim shall remain DENIED.

New Orleans, Louisiana, this 28th day of January, 2021.


United States District Judge

³ ██████'s Court Review Request states that the Settlement Program never requested a survey, but that assertion is contradicted by October 26, 2018 email.