

**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  
ADMINISTRATOR**

<b>STATUS REPORT NO.</b>	<b>19</b>	<b>DATE</b>	<b>AUGUST 1, 2020</b>
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**STATUS REPORT BY THE HALLIBURTON AND TRANSOCEAN SETTLEMENTS’  
OLD AND NEW CLASS CLAIMS ADMINISTRATOR  
STATUS REPORT NO. 19 FOR AUGUST 1, 2020**

The Old and New Class Claims Administrator (the “Claims Administrator”) for the HESI Punitive Damages and Assigned Claims Settlement Agreement and the Transocean Punitive Damages and Assigned Claims Settlement Agreement (“Settlement Agreements”) submits 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**

Follow up on undeliverable and uncashed checks continues at this time. A limited number of payments are still pending initial distribution, but the Settlements Program continues to reach out to claimants and cure these outstanding payment deficiencies. Some of the claims may require escheatment in 2021.

## **New Class**

New Class Distribution A remains in process with periodic supplemental distributions being issued as payment deficiencies are cleared. New Class Distribution B commenced on July 13, 2020, as approved in the Court's Order of May 20, 2020 [Rec. Doc. 26498].

### **B. Claims Process**

#### **COVID-19 Impact**

Since the various state orders closed facilities involved in the processing of claims to all staff except "essential" workers in March 2020; Epiq has continued to pivot to ensure Call Center activities, claimant correspondence via email, and claim processing/appeal review can be effectively handled in a remote capacity. Despite evolving safety restrictions, Epiq has made adjustments to ensure Class members/individual counsel for Class members are receiving timely correspondence, in particular payments and breakdown data for wire transfers to law firms that included funds for multiple clients.

#### **Old Class**

The Claims Administrator continues to work through payment deficiencies for a limited number of claims with third-party claims/liens, bankruptcy follow up, or decedent/dissolved business issues. The Claims Administrator shall work with the Class members and their representatives to the conclusion of these issues and distribution of these funds or until the Settlements Program can affirm the claim has been abandoned and should be slated for escheatment.

Additional uncashed and undeliverable check outreach is being completed and hundreds of checks are reissued each month as a result of these efforts.

#### **New Class**

The three administrative tracks of the New Class are progressing as follows:

- (a) New Class Distribution A commenced for claims not subject to a payment hold on September 9, 2019. Supplemental distributions continue to occur periodically, and claims held in relation to lien concerns, bankruptcy, deceased Claimants, W-9 issues, Reserve claim status, or dissolved businesses are paid as part of these distributions.

- (b) Only a small subset of New Class Distribution A claims with Reserve issues remain in process on their initial DHEPDS settlement or have been forwarded for Court Review by this Settlements Program. The status of a Reserve claim is updated after the underlying determination is final and, if eligible, it is paid during the next New Class Distribution A supplemental round of payments. There are limited payment holds still being resolved similar to the Old Class payment hold issues described above.
- (c) For New Class Distribution B claims, the Court approved distribution on May 20, 2020. No appeals were filed, and distributions initiated on July 13, 2020.

A limited number of New Class B Reserve claims remain pending additional review work within the Settlements Program at this time as a follow up to appeals that were determined since the Court's Order of May 20, 2020, approving New Class Distribution B. Additionally, 46 Court Review Requests are pending with the Court for consideration.

### **Determinations and Distribution**

Old Class Distribution payments will continue until the Claims Administrator is satisfied that all payments that can be made have been made, and escheatment of the fund balance is appropriate.

The New Class Distribution A supplemental distribution payments will also continue to be made pursuant to the Court's approval Order.

New Class Distribution B claims were approved by the Court on May 20, 2020. Approximately 2,800 claims with payment holds related to bankruptcy proceedings, third-party claim/lien verifications, missing or invalid W-9s, decedent/dissolved business alternate payee review, or other unique issues requiring manual confirmation and/or handling are being reviewed and most will be released in the first supplemental distribution. To date payments totaling over \$671,000,000.00 have been made to claimants or their counsel.

## **II. CONCLUSION**

The Claims Administrator respectfully submits 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 Claims Administrator is prepared to provide further details at the Court's request.

/s/ Patrick A. Juneau

PATRICK A. JUNEAU

OLD & NEW CLASS CLAIMS ADMINISTRATOR