

**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 NO. 2179

SECTION J

Applies to: *All Cases*

**JUDGE BARBIER
MAGISTRATE JUDGE SHUSHAN**

ORDER

[CONCERNING REFUND OF TRANSITION PAYMENTS]

Considering Class Counsel’s and BP’s Joint Motion to Clarify Current Hold-Back Order Concerning Refund of Transition Payments and the full range of this Court’s prior Orders on hold-back issues (*see* Orders dated December 28, 2011 (Rec. Doc. 5022), January 4, 2012 (Rec. Doc. 5064), January 18, 2012 (Rec. Doc. 5274), and May 3, 2012 (Rec. Doc. 6428); *see also* Transition Order, (Mar. 8, 2012)(Rec. Doc. 5988)):

It is ordered that the January 18, 2012 Order, *as amended* May 3, 2012, is revised such that refunds of 6% hold-back amounts from payments made to Gulf Coast Claims Facility (“GCCF”) claimants who had opted for 60% payments and who remain in the economic settlement class should now be made. In aid of this Order;

- (a) It is clarified that the entirety of any 60% payments made to such claimants who remain in the settlement class (including 40% residuals and 6% hold-back amounts) will be treated as “transition payments” within the meaning of the Economic Loss and Property Damages Class Action Settlement Agreement;

- (b) Additionally, the Claims Administrator of the Economic Loss and Property Damages Class Action Settlement Agreement will be authorized to access the MDL 2179 Reserve Account (“Account”) for the sole purpose of withdrawing the necessary refunds from the Account and to distribute such 6% refunds to the appropriate claimants as expeditiously as practicable; and
- (c) The Claims Administrator is also authorized to work with Magistrate Judge Shushan and Phil Garrett, CPA to administer this Order, and Magistrate Judge Shushan may make all necessary and appropriate logistical arrangements within the Court and with financial institutions (if needed) for the Claims Administrator to access funds held in the Account so that the necessary refunds will be issued.

New Orleans, Louisiana, this 16th day of October, 2012.



CARL J. BARBIER
U.S. DISTRICT JUDGE