



JAMES D. "BUDDY" CALDWELL  
ATTORNEY GENERAL

State of Louisiana  
DEPARTMENT OF JUSTICE  
OFFICE OF THE ATTORNEY GENERAL  
POST OFFICE BOX 94005  
BATON ROUGE 70804-9005

May 31, 2010

Mr. John E. Lynch, Jr.  
U.S. General Counsel  
BP America, Inc.  
501 Westlake Park Blvd.  
Houston, TX 77079

Mr. Doug Suttles  
Chief Operation Officer  
BP Exploration & Production, Inc.  
200 Westlake Park Blvd  
Houston, TX 77079

Dear Messrs. Lynch and Suttles:

This letter serves as a formal request for information regarding the claim process procedures BP has and intends to implement regarding the recent and continuing Deepwater Horizon Oil Spill and associated environmental and economic damages resulting therefrom. Although the claims mechanism is required under the Oil Pollution Act, 33 U.S.C. §§ 2701 *et seq.*, it is vital to ensure that the implementation of the procedure does not negatively impact the legal rights of claimants under that statute. As the Attorney General, I have an obligation to safeguard the interests of those citizens and other entities of Louisiana who elect to file or are considering filing claims through this process. In order to fulfill this obligation, I will need additional information and/or explanations associated with BP's decisions and plans regarding the claims procedures.

The Louisiana Department of Social Services ("LDSS") and the Louisiana Workforce Commission ("LAWorks") have made several requests for information regarding the claims process that to date have not been responded to. More specifically, beginning on May 3, 2010, LDSS and LAWorks requested information from BP and its claims administrator, ESIS, for performance information on the claims database. Additional requests for this information were also made the following week. LAWorks then met with several BP representatives at the Houma Unified Command Group on May 7, 2010, and requested: (1) full access to the reporting on claims; (2) a list of BP's contractors and subcontractors; and, (3) a list of persons being hired by BP and/or its contractors, including whether these workers were local.

A second request for details on the hiring process and BP's contractors was made to Mr. Richmond Malone on May 18, 2010. During two of the State of Louisiana's ("State") Unified Command Group meetings in Baton Rouge, additional requests for the above-referenced information were given to BP liaison, Dr. Munn. Finally, on May 27, 2010, requests for more detailed information on the BP claims process were made to Mr. Jeff Heller. Prior to May 31, 2010, the State had received only the following information: (1) an incomplete list of five contractors; and (2) a daily claims report summary void of the details requested by the State. It is my understanding that as of approximately 12:00 today, the State has received from BP a list

of Louisiana contractors hired by BP. While we appreciate your responses, albeit untimely, these responses are not sufficient to satisfy the State's numerous unanswered requests for more information, nor will they enable the State to adequately audit the claims operations and to safeguard the interests of our citizens.

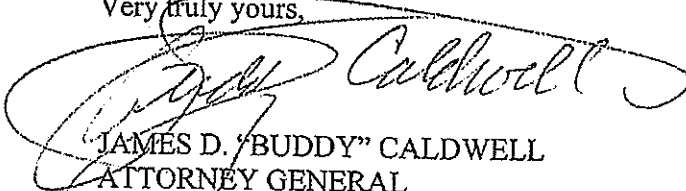
I am hopeful that BP will cooperate and coordinate its response with the State. However, please be on notice that if we do not receive a sufficient and timely response from BP to our concerns, I will have no choice but to take any action necessary to obtain this information. At this time, a sufficient response must include full access to the ESIS claims database, including information regarding claimant identification, procedures for confirming status, and detailed reporting of filed/pending claims. Access to this information will facilitate our efforts to ensure that our citizens are being responded to timely and appropriately. In addition to the list of Louisiana contractors hired by BP, I am also requesting that BP provide to the State a list of all contractors and sub-contractors hired to date.

Finally, in light of BP's announcement that it will appoint an "Independent Mediator," I hereby request information regarding the intended selection process, including the procedures or measures which BP intends to put in place to ensure that the selected participant is in fact impartial and will remain so. Of particular concern is with what authority the Mediator will act. In addition, please provide me with information concerning BP's planned procedures for the mediation process, including educational and guidance materials, to assist claimants in navigating and understanding their legal rights vis-à-vis the mediator and any advisory decision issued pursuant thereto.

Given the complexities of the Deepwater Horizon incident and its associated impacts, the State's interest is to ensure that the claims process, and a claimant's rights associated therewith, are adequately and timely explained and/or protected, including the right to have legal representation. To date, the State has made several requests for this information and/or further explanation but has not received an adequate response. Please provide us with all information requested herein within 48 hours of receipt of this letter.

I look forward to your prompt response to this matter. Should you have any questions or concerns, please contact Trey Phillips, my First Assistant, at (225) 326 6708 or [REDACTED]

Very truly yours,

  
JAMES D. "BUDDY" CALDWELL  
ATTORNEY GENERAL

cc: Karen Westall, Managing Attorney, Gulf of Mexico Legal Team, BP America, Inc.  
Mark Holstein, Managing Attorney, BP Legal, BP America, Inc.