

BP oil spill restaurant and hospitality industry primer

What are the possible effects of the oil spill on the industry?

Virtually everyone in the restaurant, seafood and hospitality industries will be affected by the oil spill. If travelers stop travelling to Alabama's Gulf Coast because of the oil spill, restaurants, bars, beach businesses, retail shops, hotels, condominium owners, rental agencies, fishing businesses and other tourism entities will incur significant financial losses. In turn, suppliers of these businesses will suffer as well. The gulf seafood harvesting, processing and distribution industries continue to suffer significant losses, and businesses connected to those industries are already experiencing supply shortages and sharp price increases.

How is this different from other disasters such as hurricanes?

No matter how devastating a hurricane may be, we at least can determine the damage caused by it and other natural disasters in a short period of time. With the BP Oil Spill, we do not know how long the oil leak will continue, how widespread the damage will be or what the total environmental impact will be for many years. For naturally occurring disasters such as hurricanes, a business's only legal recourse is generally through their insurance policy. In the case of the BP Oil Spill, business owners will have a host of legal remedies available to recoup their losses, including: The Oil Pollution Act, state law remedies and state statutes.

What proof do I need to show loss of business?

You will need to produce a photo identification, relevant business licenses, basic company information along with documentation showing your losses. It is imperative that you keep accurate, detailed business records that specifically itemize all losses attributed to the oil spill. For older businesses, you should begin pulling records for previous years' business to compare to the oil spill time period. For newer businesses or businesses where previous years do not provide a good comparison, it may be beneficial to have documents that show your business revenue was increasing prior to the oil spill.

Is it just lost business that I can recover?

No. You may also be entitled to the diminishment in value of your business's overall worth, depreciation of vessels or equipment, and/or real estate value. Additionally, you are entitled to the reasonable costs necessary in computing your business losses, any costs attributed to searching for other business, or other costs necessary to sustain your overhead.

I am not experiencing business losses yet. Why should I consider legal representation?

The problems that will result from this oil spill may take time to surface, and we anticipate far-reaching and widespread effects for years to come. An attorney can help you plan for the future, offer advice on what to expect from BP, and be prepared to help you once your business begins

sustaining damage. BP has hundreds, if not thousands, of lawyers that oversee their day to day operations. You are entitled to the same representation in planning for the future.

What will it cost me to obtain legal representation?

Nothing. The Beasley Allen firm will assume all costs associated with investigation, analysis and pursuit of claims. In return, Beasley Allen will retain an agreed-upon portion of the settlement or verdict they achieve on your behalf.

What if I've already filed a claim and BP has paid me?

You should seek representation anyway. BP and its host of lawyers and accountants are concerned with BP's interest – not yours. There is no guarantee that BP will continue to honor claims, or whether they will pay you the actual amounts you are entitled to. You should still seek legal representation to ensure that you're being treated fairly.

How do I go about filing a claim?

BP has a claims hotline and website. You can file claims at www.bp.com/claims or 800-440-0858. Beasley Allen is currently preparing claims for their business clients and submitting them to directly to BP. If you have any questions about the claims process, please contact us or Frank Woodson at Beasley Allen. You should take special care to preserve your future rights as we cannot be certain how long damages will continue.