

SUMMARY OF TERMS OF CLOSING ORDER 1

Closing Order 1 has important changes to the way claims are reviewed and paid. All claimants and attorneys are strongly encouraged to read the Order and make note of these changes. This document is a 'Summary' of what is in Closing Order 1. Please read it carefully. **The final deadline to submit a new claim is June 3, 2019. This means that the claim submission must be postmarked on or before June 3, 2019. (Pay attention to whether a date in this Summary and the Closing Order is 2018 OR 2019).**

Closing Order 1 establishes procedures that make it easier to cure deficiencies in claims and helps the Settlement Facility process and pay claims faster. **The new procedures apply to claims submitted after June 1, 2018.** Some procedures in Closing Order 1 also apply to how pending claims submitted before June 1, 2018 will be processed.

This is an informal summary only. It is intended to help you understand the terms of Closing Order 1. The terms of the Closing Order 1 (and not this summary) control and you should read the actual Order to get complete information.

New Disease or Expedited Release Claims Submitted after June 1, 2018

1. There are three parts to the review of a claim: the Proof of Manufacturer, the benefit claim (which is Disease or Expedited Release claim and the Increased Severity claim), and the payment information (for example, the claimant is deceased, has an invalid current mailing address or has not submitted foreign identification.) If you submit your claim **after** June 1, 2018, the Settlement Facility will review all parts of the claim together so that you get all the information you need in one letter. No review will be done until **all** parts of a claim are submitted. If you submit only a portion of a claim, the Settlement Facility will send you a letter explaining that you need to submit the other parts of the claim, but you must submit **all** the parts of your claim on or before **June 3, 2019**.
2. The Settlement Facility will send a single Notification of Status letter to you that lists all the deficiencies in all parts of the claim and give you **one** cure deadline for all deficiencies.
3. The specific deadline to fix problems in your Proof of Manufacturer submission will be the same as your deadline to fix problems in your benefit claim.
4. If you submit only Proof of Manufacturer, the Settlement Facility will **not** review that submission until you submit your benefit claim (Disease or Expedited Release). This means that to get a review of your claim, you must submit the benefit claim at the same time.

Rupture Claims Submitted in 2006 and/or Explant Claims Submitted in 2014 that do not have acceptable Proof of Manufacturer

5. If you submitted a Rupture and/or Explant claim by the deadlines back in 2006 (for Rupture) and 2014 (for Explant) but did not have an acceptable Proof of Manufacturer submission, you can still fix or submit your Proof of Manufacturer on or before June 3, 2019 and receive a Notification of Status letter on your Rupture/Explant claim.
6. If you submit your Proof of Manufacturer (with supporting documents) on or before June 3, 2019, then the Settlement Facility will review the Proof of Manufacturer, Rupture and/or Explant claim and send you one Notification of Status letter explaining all deficiencies. You will have 6 months from the date on that letter to cure all Rupture and/or Explant deficiencies.

Claimants Who Submitted Proof of Manufacturer before June 1, 2018

7. If you submitted a Proof of Manufacturer before June 1, 2018 that was unacceptable or that had a deficiency, you must submit new documents fixing the deficiency on or before June 3, 2019. If no new documents are submitted on or before June 3, 2019, your claim will be denied. You may then file an appeal of the claim denial.

Claimants Who Submitted Disease or Expedited Release Claims without Proof of Manufacturer before June 1, 2018

8. If you submitted only a benefit claim for Disease or Expedited Release before June 1, 2018 but have never submitted any Proof of Manufacturer, you must submit your Proof of Manufacturer on or before June 3, 2019. If you do not submit Proof of Manufacturer on or before June 3, 2019, your claim will be denied.

Appeal Deadlines

9. You will receive a Final Determination Letter after the deadline to cure all deficiencies in your claim. If you disagree with the final determination, you will have 60 days from the date on that letter to submit an appeal to the Claims Administrator. If you disagree with the decision of the Claims Administrator, you will have 60 days from the date of the decision of the Claims Administrator to submit an appeal to the Appeals Judge. The decision of the Appeals Judge is final and no further appeals are permitted.

Deficiencies that Arise after Notification of Status Letter

10. The Settlement Facility may adjust the deadline in a Notification of Status letter when a) a new deficiency is found after the Notification of Status letter is mailed, b) if the claimant passes away near or after the Notification of Status letter, or c) if an error in the initial Notification of Status letter is discovered.

Denials for Failure to Cure or Submit Claims by the Deadline

11. Claims that are submitted after the June 3, 2019 deadline will be denied. Claims that have deficiencies that are not fixed by the applicable deadline in their Notification of Status letter will be denied. If a claimant has any question about what her deadline is, she should contact the Settlement Facility. Appeals will not be granted because a claimant or attorney claims they were confused about their deadline.