

## The CRP Factors

The 2002 Manville Trust Distribution Process (“TDP”) provisions relating to Individual Evaluation (§§ C.1, C.2, C.3) refer to the “CRP Factors.” The CRP is the Claims Resolution Procedures, which was adopted as part of the Manville Corporation Second Amended and Restated Plan of Reorganization, the same Plan that created the Manville Trust in 1988. Other than this TDP reference to the “CRP Factors,” the CRP was superseded by the TDP.

The initial TDP (“1995 TDP”) was adopted as part of a class action Stipulation of Settlement approved by the federal courts overseeing class action litigation against the Trust. In re Joint E. & S. Dist. Asbestos Litig. (Findley v. Falise), 878 F. Supp. 473 (E. & S.D.N.Y. 1995), *aff’d in relevant part, rev’d in part, vacated and remanded on other grounds*, 78 F.3d 764 (2d Cir. 1996). The TDP was modified in certain respects in 2002 (“2002 TDP”). See, In re Joint E. & S. Dist. Asbestos Litig., 237 F. Supp.2d 297 (E. & S.D.N.Y. 2002). The Individual Evaluation provisions were unchanged by the 2002 modifications.

The CRP Factors are §B.6 of the CRP. That section sets forth the factors the Manville Trust is to consider in valuing individual claims. It reads as follows:

B.6 MSV [Manville Settlement Vehicle, i.e., the Manville Trust] shall evaluate each individual claim based upon all relevant factors of the traditional tort principles of damages of the state law applicable to the cause of action, which factors may include: the type, nature and extent of a diagnosed asbestos-related disease or condition of any kind; questions of medical causation; questions of the existence and/or degree of physical injury, if any; questions of the existence of psychological injury, if any; number and age of dependents; the likelihood of the claimant having been exposed to Manville asbestos and/or asbestos-containing products; job history; the location where exposure of the claimant to Manville products occurred and/or the location of the forum in which the case can properly be maintained by the claimant; information concerning payments of settlement and/or jury verdicts and judgments made to the claimant previously, and in comparable cases and other jurisdictions; and any other relevant criteria generally utilized in the settlement of litigated tort cases. MSV shall review all materials submitted and in such consideration shall not be bound by rules of evidence governing the admission of evidence in courts of law.