

Manville Personal Injury Settlement Trust (MV) Filing Overview

ADR:

- 1) AD1: Arbitration following categorization. This form of arbitration is for claims where there is a disagreement as to the proper level a claim should be placed into.
- 2) AD2: Arbitration following individual evaluation. This form of arbitration is for claims where there is a disagreement as to the value of a claim. Claims must proceed through IE before they may elect AD2.

Batch Filing:

- 1) Batch filing is available for MV using CRMC's e-Tool, Webservices and simple batch.
- 2) If your firm is interested in using the e-Tool or Webservices, please contact James Magee at JMagee@claimsres.com. The specifications for simple batch are on the documents tab.

CDT:

- 1) Level 1, Non-Malignancy, Lung Cancer or Other Cancer
 - a. Bilateral Pleural or Bilateral Interstitial
 - b. Lung Cancer, Colo-Rectal, Laryngeal, Pharyngeal, Esophageal, Stomach – Must have a pathology report or a description of pathological findings embedded in a report. If no pathology, diagnosis of cancer must state **primary**.
- 2) Level 2, Asbestosis/Pleural Disease
- 3) Level 3, Asbestosis/Pleural Disease
- 4) Level 4, Severe Asbestosis
- 5) Level 5, Other Cancer
- 6) Level 6, Lung Cancer
 - a. Pathology report or description of pathological findings imbedded in a report. If no pathology available the medical must use the word **primary**.
- 7) Level 7, Lung Cancer
 - a. Pathology report or description of pathological findings imbedded in a report. If no pathology available the medical must use the word **primary**.
- 8) Level 3, Mesothelioma

Claim Deferral: A claim may be deferred at any point after an offer is made for a period of up to 3 years. Only one claim deferral per the life of a claim is allowed under the TDP. For electronic filers it does not make a lot of sense to use this option. Once the claim is assigned a claimid, the Statute of Limitations is tolled (stopped running) and the claim can remain in that status indefinitely as it has a claim type of FLN which is still the firm's work in progress. E and H filers may defer and undefer a claim using the proper option on the claims tab.

Claim Types:

- 1) FLN – Filing
- 2) FIC – First Injury Claim
- 3) ZVC – Zero Value Claim (L0)
- 4) REF – Claim re-filed under the 2002 TDP
- 5) SIC – Second Injury Claim

Delete a Claim: Only filings may be deleted. A filing is not yet a claim and has a claim type of FLN.

Exposure:

- 1) MV does not have an approved exposure site list.
- 2) The exposure deadline is December 31, 1982.
- 3) SOE: Required for levels 3,4,5,7.
 - a. All industry and occupation pairings on the SOE exposure pairings list with a value of 1 for the specific pairing qualify for SOE. In addition, for an electrician if there is a 1 on the proximity chart for the industry and occupation chart for the occupation they were in close proximity to.
 - b. The injured party must have a total of 5 years of exposure to qualify.
- 4) For bystander claims, if the occupationally exposed person listed on the claim form meets all of the SOE provisions then the injured party will qualify as well. However, a MV-Bystander Affidavit is required.
- 5) For claimants who worked at a JM plant for 51% of their total exposure to asbestos the system will automatically double the liquidated value for that claim. However, that must be confirmed via an affidavit from the claimant, MV-Exposure Affidavit. Each period of JM exposure entered into eclaims must appear on that affidavit and it must also state that **all** of their exposure to Manville product has been provided.
- 6) MV-Exposure affidavit is required also when the injured party was exposed in the US but does not have an SSN.

ILO: For an ILO to be considered complete it must contain:

- 1) Claimant name or ssn
- 2) Date of x-ray
- 3) Physician Name
- 4) Date of Reading
- 5) Read by a certified B-Reader

Individual Evaluation: The TDP directs that certain claims go through this process. Those claim types include: Level 6, Bystander and Foreign claims. You may request IE for any claim other than an L1. There is no guarantee that a value higher than matrix will be assigned for those claims placed into IE at the firm's request.

Litigation: Enter the litigation information only if MV was named in the lawsuit.

Payment:

- 1) At the beginning of each year, the Trust will set its Maximum Annual Payment (MAP) amount. Once 80% of that value is reached all claims will go to a status of Awaiting Offer Funding until September of that year. Those claims not paid as of the end of a year will be paid during the following year.
- 2) Claims can be re-categorized at this status. The firm should go to the Offer stats page and reject the offer.
- 3) Claims may also be withdrawn at this status.
- 4) Payments are normally made every other week. E and H filers are paid one week and P filers the next.

Quality Control: The Trust has determined that 100% of the first 200 claims filed by a firm will be subject to quality control. Once 200 have been reviewed if the overall pass rate for the firm exceeds 97% the rate will be reduced to 10%. For any given month, if the quality rating for a firm drops below 9% the rating will be increased back to 100% and monitored.

Reactivation: A claim may be reactivated from a deactivated claim status using that option off of the claims tab. The two options are:

- 1) Accept last offer – You may elect to accept the last offer. However, the pro rata payment percentage in place at the time of that request will be applied to the claim.
- 2) Recategorization – If this option is selected the claim will be reviewed and valued under the current guidelines in place at the time of reactivation including the current pro rata payment percentage.

Re-Filing a Claim: The 2002 Trust Distribution Process provides for a claim settled under the 1995 TDP with a pro rata payment percentage of 5% the ability to re-file under the 2002 TDP should the claimant meet the more stringent requirements of the 2002 TDP. The original settlement amount will be set-off from the liquidated value of the re-file.

Releases:

- 1) Effective April 28, 2016, the Manville Trust will require submission of an executed release prior to payment on claims. After accepting the offer on a claim you will be prompted to generate a release. Once you receive the executed release from the claimant simply upload it to the claim file. It will then be reviewed by CRMC and, once approved, the claim will automatically move into the payment queue.

Second Disease (Malignancy Claims):

Claim Group	Allowed SIC	Set Off Taken
Claim paid a pro rata percentage of 100%	Non-Malignancy to Malignancy	A full set-off will be taken for the amount of the liquidated value of the

		first claim.
Claims paid a pro rata percentage of 10% or higher but less than 100%	Non-Malignancy to Malignancy	A full set-off will be taken for the amount of the liquidated value of the first claim.
Claim paid a pro rata percentage less than 10% (5,7.5)	Non-Malignancy to Malignancy	None

Statute of Limitations (SOL):

- 1) The TDP as amended in January of 2010 requires that a claim be filed before the expiration of the applicable SOL period. All claims arising from exposure to asbestos in the US must meet the applicable statute in place at the time of filing with the Trust. Any claim may be filed within three years after the date of diagnosis or asbestos-related death whichever is later. Claims where the exposure took place *outside of the US* must be filed three years after the date of diagnosis or date of asbestos-related death, if later.
- 2) To protect the Statute of Limitations a ClaimID must be assigned to the injured party. This means the complete injured party information and selected an attorney. Once the claim has been saved a ClaimID is assigned.
- 3) The SOL calculation is done after the CDT has been run as the date of diagnosis is needed to make the determination.

Withdrawing a Claim: Only claims may be withdrawn (FIC, SIC, REF, ZVC). Filings may not be withdrawn (FLN). All claims may be withdrawn up to the point where the claim as either been selected into payment by the Trust or Settled.