

Notice regarding timing of a change of election from Individual Review to Expedited Review

The Trust permits a claimant who has a claim pending in Individual Review (“IR”) and wants the claim to be evaluated under Expedited Review (“ER”) instead to change his or her election to ER in eClaims only *before* the issuance of an offer under IR for the claim, and provided that the claim can be evaluated under ER per the rules set forth in the Trust Distribution Procedures. Once an offer in IR has been issued for the claim, the claimant *may not* change his or her election and seek ER of the claim.

Furthermore, to the extent a claimant withdraws the claim after the issuance of an offer in IR and subsequently refiles the claim, the claim will be processed only under IR. See section 4.3(b)(1) of the TDP for more detail about the IR Process.

If a claimant wishes to dispute either an ER deficiency or deficiencies or the value of an IR offer, he or she may proceed directly to ADR if eligible for arbitration pursuant to section 4.10(b) of the TDP.

Claims that receive a deficiency notice following ER may choose from the following options in eClaims:

- RCT – Recategorization: Re-review in ER. The liquidated value of any claim that undergoes a recategorization in ER and is found to be compensable will be Scheduled Value.
- IR – Individual Review: Change election to IR. The liquidated value of any claim that undergoes IR may be determined to be less than Scheduled Value.
- ADR – Alternative Dispute Resolution: If the claim proceeds directly from ER to arbitration, the award in arbitration may only be zero or Scheduled Value, and the claimant may not thereafter elect IR for that claim (even if the claimant withdraws and refiles the claim).

CLAIMANTS SHOULD CAREFULLY SELECT HOW TO PROCEED. IF A CLAIMANT ELECTS IR AND RECEIVES AN OFFER, HE OR SHE MAY NOT THEN CHANGE ELECTION TO ER AND RECEIVE SCHEDULED VALUE.