

C. E. Thurston & Sons Asbestos Trust
Supplemental Payments Policies and Procedures

December 1, 2017

Purpose:

To set forth the procedures for supplemental payments to Claimants whose Asbestos Claims were previously liquidated by the C.E. Thurston & Sons Asbestos Trust (the “Trust”) and who received payments based upon a lower Payment Percentage.

All capitalized terms used herein have the meaning assigned to them in the Glossary of Terms attached to the Plan or Reorganization or the Asbestos Related Claims and Demands Trust Distribution Procedures (“TDP”).

Eligible Claims:

Any Asbestos Claim which was previously liquidated and paid by the Trust at a Payment Percentage lower than 50% is eligible for a one-time supplemental payment at 50% less all amounts previously paid to the Claimant with respect to the claim.

Amount of Supplemental Payments:

The supplemental payment for each claimant will be computed pursuant to TDP section 6.2 by multiplying the liquidated value of the claim in question times the newly adjusted Payment Percentage of 50%, less all amounts previously paid to the Claimant with respect to the claim.

Process:

As a result of the current Payment Percentage increase, the following steps have been taken by the Trust:

1. The new percentage was applied to any current outstanding electronic offers.
2. The Trust posted notice of the increase in the Payment Percentage and availability of supplemental payments on the Trust website, along with instructions on how Claimants not represented by counsel can contact CRMC if they believe that they may be entitled to a supplemental payment.
3. The law firm administrators were notified of the Payment Percentage increase and were sent, or given electronic access to, a listing of all Claimants for whom that law firm had previously received payments with the proposed supplemental payment. Note that the representative of each law firm is required to annotate the listing or provide partial listings to CRMC indicating one of the following for each claimant:

- a. Accept – The law firm represents the claimant, and is ready, willing and able to pay the claimant his or her share of any supplemental payment within 90 days from receipt by the law firm.
- b. Decline – The law firm represents the claimant and the claimant declines the supplemental payment.
- c. No longer represent – The law firm does not represent the claimant for purposes of receiving any supplemental payment from the Trust.

In the case of “c” above, the law firm is asked to provide the Trust with the last known address in the law firm’s records for the claimant or the name of the current law firm if applicable.

Electronic filers and Paper Filers may update their respective Claimant listing at any time up until December 31, 2018. Beginning on January 1, 2019, any and all unclaimed funds related to the supplemental payment will revert to the corpus of the Trust.

4. Quarterly, payment in the form of a check or electronic funds transfer (“EFT”) are sent to the law firms for the claimants in category “a” defined above who have not yet been paid the current supplemental payment. Each law firm is provided with a listing by Claimant of the allocated amount for each payment. Such listings may be provided through the online electronic claims system or sent via e-mail or mail.
5. Pro se claimants who had filed their own claims were sent notification of the increase in the Payment Percentage and availability of supplemental payments, along with a form to certify that they are the proper party to receive any supplemental payment for the claim and to verify or correct the mailing address.
6. New releases are not required to receive the supplemental payment.
7. If a law firm is unable to pay any claimant their respective supplemental payment within 90 days of receipt, the applicable funds are to be returned to the Trust via CRMC with a listing of each claim and an explanation as to why the payment was not made. Checks should be made payable to the “C. E. Thurston & Sons Asbestos Trust.” This will not preclude the law firm from receiving these funds at a later date up until January 1, 2019, provided the Payment Percentage is not subsequently decreased.