

Shook & Fletcher Asbestos Settlement Trust FAQs

Last Updated: May 2024

These FAQs are arranged under the following headings:

- A. General
- B. Claim Criteria
- C. Supporting Evidence
- D. Payment
- E. Filing Procedures
- F. Claim Audit

A. General

1. What diseases are compensable under the CRP?

Mesothelioma

Lung Cancer

Other Cancer:

 Colo-Rectal Cancer

 Laryngeal Cancer

 Esophageal Cancer

 Pharyngeal Cancer

 Stomach Cancer

Non-Malignant Asbestos-Related Disease

2. How are the claim values determined?

Shook & Fletcher Trust claims are evaluated pursuant to the Claims Review Procedures (CRP), a copy of which is available at the CRMC website, under the documents tab at letter "C" at www.claimsres.com. The criteria and values for the four Scheduled Diseases can be found at Section 5.2 of the CRP.

The Shook & Fletcher Trust does not pay claimants the full settlement value of their claims. This share, or "*pro rata*" payment percentage, is currently 50%.

3. Do I need a lawyer to file a Shook & Fletcher Trust claim?

No. A claimant may file a claim "*pro se*" (without a lawyer) by filing a completed proof of claim form along with all required evidence.

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4. Does the Trust require a filing fee?

The Trustee has determined, with the consent of the TAC and the Futures Representative to require a filing fee of \$75 for all claims submitted to the Trust on or after July 1, 2023. Until the filing fee has been paid the claim has not been tolled for statute of limitations. For additional information, please review question 2 under the Claim Criteria section.

5. Does the Trust retain the filing fee or is it returned under certain circumstances?

If a claim is deemed eligible for payment, the filing fee is refunded to the filer.

6. Does the Trust require a filing fee for an Individual Review claim?

Yes. The Trust requires a \$100 filing fee. A claim will not enter the IR processing queue until the filing fee is paid.

B. Claim Criteria

1. What claims are required under the CRP to be processed by Individual Review?

Claimant's claiming to be Extraordinary and Derivative claims.

2. Does the Trust have a SOL policy?

Yes. Section 5.2(b) of the Trust's Claims Resolution Procedures (the "CRP") requires that all new claims must be filed with the Trust within three (3) years of the date of diagnosis. In light of the length of time the Trust has been in operation, none of the provisions of the CRP relating to any other deadlines for filing claims or any tolling of any applicable federal, state or other statutes of limitations apply, and the three-year filing deadline is a firm deadline.

3. Does the Trust have a published site list?

Yes. The site list can be found on CRMC's website, documents tab. For claims where the injured party worked at a site on the published site list, and the length of exposure meets the CRP requirements, no additional supporting exposure documentation needs to be provided. The documents tab in the eClaims system will indicate if proof of exposure is required.

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4. What exposure documentation is required if the injured party worked at a site *not* on the published site list?

Section 5.6(b)(2) states that the Trust claimant must present credible evidence that such Trust's Shook & Fletcher exposure occurred on or before December 31, 1985. For purposes of this CRP, "**Shook & Fletcher Exposure**" means exposure to asbestos or asbestos-containing products (i) distributed, sold, installed, stored, transported, removed or otherwise handled by Shook & Fletcher, or (ii) as a result of services, actions or operations, including services, actions or operations provided, completed or taken by Shook & Fletcher in connection with asbestos or asbestos-containing products or (iii) caused or allegedly caused by asbestos or asbestos-containing products, services, actions or operations for which Shook & Fletcher may otherwise be liable under applicable law. The Trust shall consider the meaningful and credible evidence presented by the Trust Claimant, including an adequate affidavit of the Trust Claimant, an affidavit of a co-worker or the affidavit of a family member in the case of a deceased claimant (providing the Trust finds such evidence reasonably reliable), invoices, employment, construction or similar records, or other credible evidence. The Trust may also require submission of other or additional evidence of exposure when it deems such to be necessary.

C. Supporting Evidence

1. Does the Trust accept medical reports from all doctors and medical facilities?

No. The Trust has suspended acceptance of medical reports from a number of specific physicians and medical facilities, and currently will not accept medical reports from these suspended medical providers to support a Shook & Fletcher Trust claim. The names of the suspended physicians and facilities are available under the documents tab at letter "M", Medical Evidence available at the CRMC website, www.claimsres.com.

2. Does the Trust require the submission of a certificate of official capacity for a deceased injured party?

Yes

3. Is the submission of a signed release required?

Yes. Whether filing electronically (hybrid) or by paper, a pre-formatted release generated by eClaims will be provided for completion by the injured party or their representative. Releases may be uploaded into the eClaims system using

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the documents tab. The Trust does not accept releases signed via electronic signature platforms.

D. Payment

1. How does a law firm arrange to receive payments through electronic funds transfer?

By executing and submitting a copy of the Trust's Agreement for Electronic Funds Transfer, available at the CRMC website, www.claimsres.com, under the documents tab.

2. How often does the Trust make claim payments?

The Trust typically makes claim payments on a monthly basis.

E. Filing Procedures

1. What is the e-Claims system?

The e-Claims system is an automated claims processing system, custom designed to process and value asbestos injury claims. It has been modified over time to enhance its ability to handle claims for multiple asbestos bankruptcy trusts. With the e-Claims system, law firms have the opportunity to become h-filers, which permits them to file claims electronically through a secure on-line web connection, via batch submission, or web services. The requirements for filing via batch or web services can be found under the documents tab at letter "XXX" available at the CRMC website, www.claimsres.com.

2. How does a law firm become an electronic (hybrid) filer?

Law firms that decide to file electronically should complete two forms which are available under the documents tab at letter "XXX". They include the Hybrid Filer agreement and the User Administrator form. Additionally, if this is your first time filing with CRMC we will need a W-9 and a completed Electronic Funds Transfer Agreement. Those documents can be emailed once complete to inquiry@claimsres.com.

Firms that decide not to file electronically, can request "view-only" access to their claims information and status and stay advised of Trust policies through the website. Please email inquiry@claimsres.com for assistance.

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3. Can a law firm be both an electronic (hybrid) and a paper filer?

No.