

**SUMMARY AND TIMELINE
FOR THE MLC ASBESTOS PI TRUST ADR PROCEDURES**

I. ADR PROCEEDINGS SUMMARY

A. Showing Required

As set forth in the MLC Asbestos PI Trust Distribution Procedures (the “TDP”), in order to establish a valid PI Trust Claim¹, a claimant must make a demonstration of a diagnosis of a disease level as set forth in Section 5.7 of the TDP and exposure to asbestos-containing products for which Motors Liquidation Company, et al., f/k/a General Motors Corp., et al. (“MLC”)² bears responsibility.

B. Meet and Confer with Trust Counsel

Before proceeding to arbitration, a claimant, or if the claimant is represented by counsel, the claimant’s counsel, must first participate in a telephone conference with PI Trust counsel. The claimant or claimant’s counsel and PI Trust counsel shall discuss all issues related to the compensability and/or value of the claim. The Meet and Confer with PI Trust Counsel shall be in the nature of a settlement conference.

C. Binding and Non-Binding Arbitration Procedures

Upon completion of the Meet and Confer with PI Trust Counsel, the claimant may request binding or non-binding arbitration. Regardless of the claimant’s election of binding or non-binding arbitration, the PI Trust shall execute the appropriate Election Form and Agreement.

Binding arbitration shall be conducted in the “final offer” format also known as “baseball style” arbitration. In any arbitration for a non-Extraordinary Claim involving Disease Levels I-II, the arbitrator shall not return an award in excess of the Scheduled Value for such claim. In any arbitration for a non-Extraordinary Claim involving Disease Levels III-VII, the arbitrator shall not return an award in excess of the Maximum Value for the relevant Disease Level as set forth Section 5.3(b)(3) of the TDP. If the arbitration involves a claim that qualifies as an Extraordinary Claim, the arbitrator shall not return an award greater than the maximum extraordinary value for such a claim as set forth in Section 5.4(a) of the TDP. *See* TDP § 5.10(c).

Provided the claimant complies with these procedures, the PI Trust may not decline the claimant’s election of either binding or non-binding arbitration, but reserves all rights to reject any award in a non-binding arbitration proceeding. If the parties agree to engage in binding arbitration, then the claimant and the PI Trust waive their respective rights to institute a lawsuit with respect to the PI Trust Claim as set forth in Sections 5.11 and 7.6

¹ TDP, p. 1, n.1.

² TDP, p. 1.

of the TDP.

II. TIMELINE OF ADR PROCEEDINGS TO BE PROVIDED TO CLAIMANT AFTER INITIAL REQUEST FOR ADR.

Initiation of ADR Procedures

- Within twenty (20) days of a claimant's request for ADR, the Private Adjudication Coordinator will send the claimant an ADR packet containing the documents necessary to pursue the ADR process.
- Within ninety (90) days of a claimant's receipt of the ADR packet from the Private Adjudication Coordinator, the claimant must initiate the ADR process by returning an executed Request for Meet and Confer with PI Trust Counsel Form to the Private Adjudication Coordinator along with an executed Affidavit of Completeness.

Meet and Confer with PI Trust Counsel

TIME	EVENT
Within 30 days of the receipt of the signed Request for Meet and Confer with PI Trust Counsel Form	Private Adjudication Coordinator to schedule a telephone conference with the claimant or, if the claimant is represented by counsel, claimant's counsel, and PI Trust counsel.
Within 30 days of receipt signed Request for Meet and Confer with PI Trust Counsel Form	Meet and Confer with PI Trust Counsel to be scheduled.
At the conclusion of the Meet and Confer with PI Trust Counsel, the parties exchange written settlement offers that shall remain open for ten (10) days.	If, after the expiration of that ten (10) day period, neither party accepts the other's written offer or the parties do not otherwise settle the matter, claimant may request binding or non-binding arbitration by sending the appropriate signed Election Form and Agreement to the Private Adjudication Coordinator.

Binding and Non-binding Arbitration

Following timely submission of executed election form and agreement for binding or non-binding arbitration

TIME	EVENT
Within five (5) days of receipt of executed Election Form and Agreement	Private Adjudication Coordinator signs the form and sends the fully-executed form to the claimant and PI Trust Counsel along with the executed Affidavit of Completeness.
Within 15 days of receipt of executed Election Form and Agreement	Private Adjudication Coordinator selects a potential arbitrator, notifies the potential arbitrator of assignment and names of parties/counsel, and provide Conflicts Disclosure and Oath to potential arbitrator.
Within five (5) days of receipt of notice of arbitrator appointment	Potential arbitrator returns executed Conflicts Disclosure and Oath to Private Adjudication Coordinator.
Within five (5) days after receipt of executed Conflicts Disclosure and Oath	Private Adjudication Coordinator sends notice of appointment and executed Conflicts Disclosure and Oath to parties.
Within 20 days of appointment of arbitrator	Parties submit arbitration statements to Private Adjudication Coordinator for transmittal to arbitrator and exchange with another.
Within 15 days of receipt of parties' arbitration statements	Private Adjudication Coordinator schedules initial pre-hearing conference.
Within ten (10) day of initial pre-hearing conference	Parties may submit and exchange responsive supplemental arbitration statements.
Within 45 to 60 days of the initial pre-hearing conference	Parties and arbitrator to schedule arbitration hearing. Private Adjudication Coordinator to send confirmation notice of this date to parties.
Within ten (10) days of close of arbitration hearing	Submission of optional post-hearing statements.
Within 15 days of close of hearing or submission of post-hearing statements, whichever is later	Issuance of arbitration award.

Non-Binding Arbitration

TIME	EVENT
Within 30 days of issuance of non-binding arbitration award	The party electing to reject the non-binding award must notify the other party in writing.
Assuming timely rejection of non-binding arbitration award, within 60 days of date of non-binding award	If claimant timely rejects non-binding award, claimant may request authorization to commence litigation. If PI Trust timely rejects non-binding award, claimant may elect binding arbitration or request authorization to commence litigation.
Assuming timely rejection of non-binding award and timely request for authorization to commence litigation, within 15 days of receipt of the request for authorization to commence litigation	If rejection of non-binding award and request for authorization to commence litigation are timely, PI Trust to send claimant authorization to commence litigation.

Postponement / Extension

The time limits included in these procedures are to be strictly enforced. Any time limit set forth herein may be extended by agreement of the parties or for cause shown to the arbitrator. Any request for extension, however, shall first be made to the opposing party, and, then, if the parties cannot agree and are in the arbitration phase of ADR, the request shall be submitted to the Private Adjudication Coordinator who will request a ruling from the arbitrator.

Although the deadlines may be extended by agreement or for cause shown, failure to comply with a deadline without obtaining an extension may result in withdrawal of the claim. Promptly after a claimant fails to comply with a specified deadline without obtaining an extension, the PI Trust shall send the claimant written notice of the failure to comply. If the claimant does not take any action on the claim, then thirty (30) days from the date of the written notice the claim will be deemed withdrawn.