

Manville Trust Distribution Process (TDP) Amendment Secondary Exposure Claims

The Trustees of the Manville Trust along with the consent of the Select Counsel of the Beneficiaries (SCB) and the Futures Representative Amended the 2002 TDP by adding section C.11:

11. Secondary Exposure Claims. If a claimant alleges an asbestos-related disease resulting solely from exposure to an occupationally exposed person, such as a family member, it is a Secondary Exposure Claim. The claim must be individually reviewed, and as provided by Section E.2(c) below, the Trust may require submission of other or additional evidence of exposure as it deems necessary to support Secondary Exposure Claims. For a Secondary Exposure Claim, the claimant must establish that the occupationally exposed person would have met the exposure requirements under this TDP that would have been applicable had that person filed a direct claim against the Trust. In addition, the claimant with secondary exposure must establish that he or she is suffering from one of the eight Scheduled Disease categories described in Section D below or an asbestos-related disease otherwise compensable under this TDP, that his or her own exposure to the occupationally exposed person occurred within the same time frame as the occupationally exposed person was exposed to asbestos containing products produced by Manville prior to December 31, 1982, and that such secondary exposure was a cause of the claimed disease. All other liquidation and payment rights and limitations under this TDP shall be applicable to such claims.