

United States Mineral Products Company Asbestos Trust Filing Overview

Batch Filing:

- 1) Batch filing is available for USM using CRMC's e-Tool. Because of the complexity of the exposure documentation for USM, simple batch will not be implemented unless there are a sufficient number of firms requiring that capability.
- 2) If the firm is interested, please contact the Helpline and they can direct you to the appropriate IT personnel.

Claim Deferral: You may defer a claim at any point before an offer is made. However, please remember that because of the way the e-claims is programmed you control your flow of work so deferring a claim is not totally necessary in all instances.

Document Submission requirements for an offer to be made:

- 1) Certificate of Official Capacity: If the injured party or their personal representative resides in a state where this document is required you will need to submit that to CRMC prior to an offer being made.
- 2) USM Exposure Affidavit: This is required if you use a Not Mineral Site. The information on the affidavit must match exactly what was entered into e-claims: start date, end date, occupation of claimant, and industry of claimant. The claimant must identify a specific USM product(s) in their affidavit and that time period must match the approved product list posted on the CRMC website.

Exposure:

- 1) USM has a published approved exposure site list posted on the CRMC website. Each site has associated open and close dates. When your firm is approved to file with US Mineral in the e-Claims system, these sites are automatically added to your drop-down list.
- 2) If you have a site you wish to be approved which is not on the list, you must follow the Protocol for Adding a Site to the Trust's List of Qualified USM Worksites. That document is available on the CRMC website. Please provide that information to Andrew Oh at ARPC.
- 3) Not Mineral (NM) – Please use this site when entering the injured party's exposure when you are claiming exposure to asbestos but not to USM products and you want it counted toward the SOE calculation. You will be required to enter the following:
 - a. Site Country
 - b. Site Name
 - c. Site City
 - d. Site State, if a US Site
 - e. Site Province
- 4) Not Qualified (NQ) – Please use this site when have one injured party who worked at a site which is not on the approved list. When this site is used an

- exposure affidavit from the injured party (or other party when the injured party is deceased) will be required for the claim to proceed to offer. That affidavit MUST identify a specific USM product. You will be required to enter the following:
- a. Site Country
 - b. Site Name
 - c. Site City
 - d. Site State, if a US Site
 - e. Site Province
- 5) Exposure screens in e-Claims: Certain items will appear in orange if they are invalid as follows:
- a. Exposure dates if they are outside the approved dates for that site
 - b. Site if NM was used
- 6) The exposure deadline for USM is December 31, 1982.
- 7) If you select an occupation of “Other” you will be required to enter an occupation as well as a description of how the injured party was exposed.
- 8) If you select an industry of “Other” you will be required to enter in an industry.
- 9) If you select an Exposure Type of “None of the above” you will be required to type in an explanation.
- 10) SOE: Required for all levels except L3.
- a. All industry and occupation pairings currently qualify for SOE.
 - b. The injured party must have two years of exposure prior to the exposure deadline (see #6) and a total of 5 years of exposure to qualify.
 - c. For an exposure entry to count toward the SOE calculation you must check off how the injured party was exposed to asbestos.
- 11) For bystander claims, if the occupationally exposed person listed on the claim form meets all of the SOE provisions then the injured party will qualify as well.

Litigation: Enter the litigation information only if US Mineral was named in the lawsuit. You do NOT need to provide a copy of the complaint to CRMC.

Payment:

- 1) The TDP specifies that L2 and L3 claims will receive priority. If the Maximum Annual Payment (MAP) amount is less than the amount needed to pay all claims in the FIFO payment queue, the MAP will first be applied to L2 and L3 claims.
- 2) All Level 1 claims will go to a status of Awaiting Offer Funding at submission pending approval of funds.
- 3) Claims can be re-categorized at this status.

Quality Control: The USM Trust has determined that 100% of claims will be subject to quality control. For claims Relying on Manville a claim will only be processed through quality control if a site of NQ(Not Qualified) is used as the exposure affidavit will need to be reviewed by CRMC.

Potential Pre-Petition Claims: The Trust’s data for its pre-petition data is not complete. Therefore, if you add an injured party and there is a match on the name you will only be able to select an attorney and save the claim. You will be notified on the screen that it is a

potential pre-petition claim. Once completed, the claim will go to a status of “Awaiting pre-petition review”. ARPC will periodically review a list of these claims and notify the firm that additional information is required to cure the claim. If the claim is eligible for filing its status will be updated. If not allowed, the status will change to DeletedPPT.

Releases:

- 1) USM requires that a release be supplied to CRMC before payment is made.
- 2) Once an offer is posted to your message board, you must proceed to the Offer Status Page to accept the offer. Once you accept, there is an option on that page to print the release for the injured party. You may **only** use this pre-printed release. If the injured party has passed away since the claim was filed, please enter the DOD and rep information prior to printing the release so it is accurate. The injured party must then read each and every page of the release, and have it notarized or signed in front of two unrelated witnesses.
- 3) If you realize after printing the release that the injured party has passed away and there is a representative please contact CRMC so we can remove the printed release which will allow you to print one with the proper information.
- 4) If for some reason the release is not acceptable upon submission you will be notified via the message board.

Relying on a Manville Claim:

- 1) If you have a settled Manville claim that is a Cat 1,2,3,4 or L1(non-malignancy only), L2 and the injured party had 5 years of Manville exposure OR Cat 7, L3, L4, L5, L7, L8 you may rely on the Manville claim to file your USM claim.
- 2) If a valid settled Manville claim exists it will appear on the bottom of the claim page and show the Manville ClaimID at the bottom of the claim page. In this case, no CDT will need to be run.
- 3) For electronic filers once you click the “save claim” button the US Mineral Value Summary page will present. At the bottom it will show if the injured party qualifies for USM exposure, SOE, SOL and whether an exposure affidavit was required or not. Once you click the “submit” button it will proceed to processing.

Second Disease (Malignancy Claims)

- 1) If the injured party has a L1 Trust claim that is not a Settled Asbestos Claim a new claim for Lung Cancer or Mesothelioma can be filed with the Trust. The new disease must have been diagnosed subsequent to the filing of the L1 claim.
- 2) If the injured party has a L1 settled asbestos claim, a new claim for Lung Cancer or Mesothelioma may be filed with the Trust.
- 3) If the injured party has a L2 settled asbestos claim, a new claim for Mesothelioma may be filed with the Trust.

Statute of Limitations (SOL):

- 1) USM has a complex method for determining whether statute criterion has been met based on the requirements of the TDP.
- 2) Relevant Dates:
 - a. Petition Date: 07/23/2001

b. Effective Date: 01/31/2006

c. Initial Claims Filing Date: 07/29/2010

- 3) To protect the Statute of Limitations you must have a ClaimID for the injured party. This means you must have entered the complete injured party information and selected an attorney. Once the claim has been saved a ClaimID is assigned.
- 4) The SOL calculation is performed after the CDT has been run as the date of diagnosis is needed to make the determination in certain instances. In the case where you are relying on a MV claim it is determined when the claim is complete and saved.
- 5) It is very important that the date of filing of a lawsuit is entered properly by CRMC or the law firm. Even a day off in the date could impact the SOL period.