

COMBUSTION ENGINEERING 524 (g) ASBESTOS PI TRUST

TRUSTEES:

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REVISED NOTICE TO OHIO CLAIMANTS

Ohio provides for a statutory subrogation for the payment of compensation or benefits under Chapters 4121, 4127 or 4131 of the Revised Code to the rights of certain claimants against third parties to the extent of the statutory subrogee's right of recovery. Ohio R.C. Section 4123.931(A). A "statutory subrogee" is the administrator of workers' compensation, a self-insuring employer, or an employer who contracts for direct payments of medical services under Ohio law. Ohio R.C. Section 4123.93.

The Statute provides at Section 4123.931(G):

"A claimant shall notify a statutory subrogee and the attorney general of the identity of all third parties against whom the claimant has or may have a right of recovery, except that when the statutory subrogee is a self-insured employer, the claimant need not notify the attorney general. No settlement, compromise, judgment, award, or other recovery in any action or claim by a claimant shall be final unless the claimant provides the statutory subrogee and, when required, the attorney general, with prior notice and a reasonable opportunity to assert its subrogation rights. If a statutory subrogee and, when required, the attorney general are not given that notice, or if a settlement or compromise excludes any amount paid by the statutory subrogee, the third party and the claimant shall be jointly and severally liable to pay the statutory subrogee the full amount of the subrogation interest."

In order to address these provisions of Ohio law, the CE Trust has temporarily suspended the approval of offers on claims submitted to the Trust by persons invoking the State of Ohio as the Claimant's Jurisdiction and/or by persons residing in the State of Ohio.

The Trust will resume processing a suspended claim if the claimant provides satisfactory documentation to the Trust that Ohio R.C. Section 4123.931 does not apply to the claimant. The claimant may obtain such documentation by contacting the Ohio Bureau of Workers' Compensation and asking it to provide confirmation that the claimant is not subject to Ohio R.C. Section 4123.931. The claimant may contact support@verusllc.com at Verus Claims Services with questions about the process.

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Administrative Office:

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