

U.S. ASR HIP SETTLEMENT

MDL 2197

Claims Administration Procedure (“CAP”)			
CAP Number	7	Effective Date	5/9/17
Subject	Administration of Extraordinary Injury Fund Claims under the 2017 ASR Extension Agreement		

- 1. Purpose.** This Procedure describes the administration of Extraordinary Injury Fund (“EIF”) Claims under the terms of the 2017 ASR Extension Agreement, dated March 3, 2017. Capitalized terms not defined in this CAP shall have the same meanings given to such terms in the 2015 Settlement Agreement.
- 2. Requirements for Administering EIF Claims under the 2017 ASR Extension Agreement.** The rules and administration of the EIF program under the 2017 ASR Extension Agreement remain the same as the rules under the 2015 ASR Settlement Agreement with the following additions to take into consideration the limit/cap on Part B EIF recoveries described in Paragraphs 19-21 of the 2017 ASR Extension Agreement. This CAP addresses paragraph 21 of the 2017 ASR Extension Agreement. Notwithstanding the references herein, DePuy has and will continue to have no involvement in these or other Part B EIF awards.
- 3. EIF Contributions Pursuant to the 2017 ASR Extension Agreement.** Claimants eligible under the 2017 Extension Agreement who had an ASR Revision Surgery that occurred between 8-10 years after the ASR Index Surgery may receive a reimbursement from the EIF for a portion of the amount deducted from the Part A Base Award. The sum of the Part A Base Award and Part B EIF reimbursement amount will not exceed the gross amount that claimants with the same implantation length received in the 2015 Settlement. Claimants who had an ASR Revision Surgery that occurred fewer than eight years after the ASR Index Surgery shall not receive a reimbursement of any implantation length reduction from the EIF. The Parties shall consider the EIF reimbursement amounts for claimants with an implantation length of 8-10 years, as well as all other PART B EIF payments, in the accounting for the limit/cap described in Paragraphs 19-21 of the 2017 ASR Extension Agreement.
- 4. Duration of the CAP.** This CAP shall terminate only upon cancellation or modification by its signatories.

APPROVED:

Claims Administrator

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By: /s/ James J. McMonagle

Date: 5/9/17

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By: /s/ Lynn C. Greer

Date: 5/9/17

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