

Alert No. 2014-9

U.S. ASR Hip Settlement Alert – 12/22/14

### *Status of EIF Claims*

1. **Introduction.** The Claims Processor is actively reviewing EIF claims and gathering data that the SOC and the Team will need to make eligibility and award determinations. The SOC will continue to analyze the data collected by the Claims Processor to determine who is eligible to receive payment and how much eligible claimants may receive.
2. **EIF Notices.** Collectively, the SOC, Claims Administrator, and Claims Processor agreed to process and issue determination notices to the majority of claimants who filed for claims in the following levels by 2/28/15:
  - (a) Matrix Level I – Re-Revision Surgery
  - (b) Matrix Level II – Major Complication (PE/DVT, Dislocation, and Foot Drop only)
  - (c) Matrix Level IV – Myocardial Infarction
  - (d) Matrix Level V – Stroke
  - (e) Matrix Level VI – Death
  - (f) Matrix Level VII – Discretionary (Liner Revision Surgery only)
3. **Timing of EIF Payments.** As required by the MSA, the SOC and DePuy are discussing the timing of EIF interim payments. Our goal is to prepare the first EIF Disbursement List, which will include claimants who received an EIF award determination and accepted the amount, in March of 2015, and to make payments as soon as practicable thereafter. The Settlement Agreement requires that we review and finalize every EIF claim before we can issue full payments, but the MSA also allows for partial, Interim Payments before that time. We expect to pay EIF claims in two or more installments, which means the initial EIF payments will not be for the full value of the associated eligible claim.

The Claims Processor will continue performing preliminary reviews on all other EIF claims to provide the SOC and the Team with the data necessary to generate awards to eligible claimants in the remaining categories. Because these remaining categories involve the application of more complicated criteria and require the SOC and Team to apply discretion in determining awards, we cannot provide a timeframe for the completion of the reviews or issuance of payments for these claims. The SOC and the Claims Processor are committed to the swift evaluation of all EIF claims, allowing the distribution of funds to eligible claimants as soon as possible.

4. **Questions.** If you have any questions about this Alert, call or email your assigned Claims Processor contact, email us at [claimsprocessor@usashipsettlement.com](mailto:claimsprocessor@usashipsettlement.com), or call 1 (877) 391-3169.