

December 12, 2022

RE: Governmental Lien Resolution Update

The Settlement Fund's administration is required under the Settlement's Plan of Distribution to make sure that Government Payor Claim liens, if any, against a Settlement Class Member's approved claim award are satisfied or provided for before the Fund can pay the claim award. Governmental Payor Liens include those by Medicare, Medicaid, VA, Tricare and other governmental payor programs including Medicare Part C and Part D. The Lien Administrator is to make sure that these Governmental Payor Liens are cleared before claim payment is made. That is, that all Government payor liens have either been already satisfied, are being satisfied in the distribution process or are otherwise being satisfactory provided for in accordance with the Plan before the payment goes out.

What is delaying payments is an ongoing delay on the part of the Centers for Medicare & Medicaid Services ("CMS") to provide necessary Medicare lien amounts. Due to the length of time this has been going on and we have been waiting, CMS has informed us that it is working to "fast track" the process as to Settlement Fund's non-malignant cases due to the amounts involved. Unfortunately, there is no guarantee on a "fast track" time frame, but CMS has indicated that they anticipate having the lien amounts for non-malignant cases to us in December. The malignant cases will follow thereafter.

Therefore, we anticipate moving forward with cleared governmental liens under this Settlement in January.

In the meantime, we continue to review lien forms, request deficiency responses and resolve all other governmental liens disclosed to us.

If you have any questions, please contact the Lien Administrator at 1-800-345-0837.