

Instructions for Completing the NARCO Asbestos Trust Proof of Claim Form for Unliquidated Claims to be Processed under Individual Review

These instructions have been designed to assist you with the completion and submission of your Individual Review proof of claim (the “IR POC”) form to the North American Refractories Company Asbestos Personal Injury Settlement Trust (the “NARCO Asbestos Trust”). These instructions are intended to summarize certain significant issues related to filing a personal injury claim with the NARCO Asbestos Trust. Nothing in these instructions is intended to replace or modify the requirements of the First Amended North American Refractories Company Asbestos Personal Injury Settlement Trust Distribution Procedures (the “TDP”). Capitalized terms used but not defined in these instructions shall have the meanings assigned in the TDP.

Before filing a claim with the NARCO Asbestos Trust, all claimants are encouraged to thoroughly read and understand the following documents (all available on the NARCO Asbestos Trust’s claims processor’s website at www.narcoasbestostrust.org/resources/documents).

- TDP
- Exposure Directives
- Frequently Asked Questions
- Supplemental Notice of NARCO Asbestos Trust Filing Deadlines

Most important to the successful processing of your claim is to ensure that it is accurate and complete. The NARCO Asbestos Trust encourages you to review your claim carefully before submitting it. Please note that you are verifying this IR POC and the information submitted in support of the claim. If you are an attorney, by signing you are certifying the information is submitted pursuant to and subject to Rule 11 of the Federal Rules of Civil Procedure. If you are an individual (including a personal representative) not represented by an attorney, you are attesting to the truth of this information under penalty of perjury and certifying that the information submitted meets the requirements of Rule 11(b) of the Federal Rules of Civil Procedure. If you are an individual, you are also certifying that you are aware of the potential penalties for presenting a fraudulent claim that include a fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

Please understand that if a claim form is not complete you will receive a communication from the NARCO Asbestos Trust. There are numerous documents that *must* accompany the IR POC for your claim to be processed. Therefore, please review the TDP as well as the checklist at the end of the IR POC prior to submission to ensure that you have provided all information required for your claim to be processed by the NARCO Asbestos Trust, including compliance with the Medical/Exposure Criteria, and to be valued pursuant to the Individual Review valuation factors. Filing the IR POC is the only chance in the IR valuation process you will have to provide the NARCO Asbestos Trust with documentation to support the valuation of your claim pursuant to the Individual Review valuation factors, subject to your right to seek ADR, and the procedures governing that process.

Delaware Claims Processing Facility (“DCPF”), the NARCO Asbestos Trust’s claims processor, has the capability to accept proofs of claim in electronic format. If you wish to file claims electronically or have questions regarding the IR POC and determining what must be attached in order for your claim to be processed, please contact the help line at 1-800-708-8925 or claimantrelations@delcpf.com.

If you are submitting a completed paper IR POC form by non-electronic method, please send it to:

Delaware Claims Processing Facility
P.O. Box 130
Wilmington, DE 19899

STATUTE OF LIMITATIONS

Information relevant to claim filing deadlines is set forth in amended Section 4.1(a)(2) of the TDP attached as Exhibit A to the *Supplemental Notice of NARCO Asbestos Trust Filing Deadlines*, which was posted to the NARCO Asbestos Trust's claims processor's website on November 7, 2016 (the "Supplemental Notice"). (See the NARCO Asbestos Trust's documents available on DCPF's website (www.narcoasbestostrust.org.) In order to toll the running of the applicable statute of limitations by filing a Proof of Claim Form, a claimant must file a Proof of Claim Form with all applicable questions answered and submit all of the documentation listed below, except if a listed document is not applicable. The Required Documents are as follows:

- a. Death Certificate (if applicable);
- b. Face sheet or first pages showing full caption of complaint when litigation information is provided;
- c. Proof of Service (as defined in Part 4 of these instructions) if litigation information is provided and the claimant is seeking to prove that the claim is an unliquidated Pre-Established Claim as a result of being filed and served on NARCO or Honeywell as a defendant in the tort system prior to the Petition Date;
- d. Medical reports to support the alleged disease;
- e. Proof of exposure to NARCO product(s);
- f. Proof of other requisite exposure to asbestos (if applicable); and
- g. Proof of Economic Loss when IR is elected and Economic Loss is claimed.

In the event any necessary document is missing due to loss, destruction, flood, fire or other exceptional circumstance that arose after the date of the Supplemental Notice, the claimant may demonstrate, with sufficient factual evidence, including a sworn affidavit under penalty of perjury, (i) the existence of the exceptional circumstance and (ii) his/her reasonable due diligence in response to the claimed exceptional circumstance. The NARCO Asbestos Trust will analyze the timeliness of the claim at the time the claimant submits the missing document(s) based on the facts of each case, the individual evidence presented, and the diligence exercised in curing the deficiencies, and make a decision, in the Trustees' discretion, whether the claim is time-barred. In these circumstances, the claimant must still file a Proof of Claim Form with the NARCO Asbestos Trust that answers all applicable questions and file the Required Documents to the extent such information and documents are available.

For additional information on meeting the applicable claim filing deadline, please see the NARCO: Important Notice Re Deadlines for Filing Claims and the December 31, 2017 Claims Filing Deadline Webinar. See the NARCO Asbestos Trust's documents available on DCPF's website (www.narcoasbestostrust.org).

INDIVIDUAL REVIEW

By completing the IR POC a claimant is electing to have his/her claim evaluated via the Individual Review process. For certain claims, specific rules may apply to the election based on special situations or Disease Levels, which may require the claim to be evaluated via the Expedited Review process. These rules are stated in the TDP.

Extraordinary Claims, Exigent Claims, Foreign Claims, Disease Level V Claims, Secondary Exposure Claims, and unliquidated claims that do not meet the presumptive Medical Criteria for Disease Levels I-VII but that involve a significant asbestos-related condition, must elect the Individual Review process.

Individual Review also provides a claimant with an opportunity for individual consideration and evaluation of a claim which meets the presumptive Medical/Exposure Criteria for Disease Levels III-VII where the claimant has extenuating circumstances that he or she believes warrant a liquidated value above the applicable Scheduled Value. However, the liquidated value of a claim that undergoes Individual Review may be determined to be less than the Scheduled Value the claimant would have received under Expedited Review. Individual Review is not available to get a value higher than Scheduled Value for Disease Level I (Other Asbestos Disease) or Disease Level II (Asbestosis/Pleural Disease).

***COMPLETE THE IR POC ONLY IF YOU ARE ELECTING OR REQUIRED TO
HAVE YOUR CLAIM REVIEWED PURSUANT TO THE INDIVIDUAL REVIEW
PROCESS.***

Note: Generally, once an offer has been received in Individual Review, you cannot change your election from Individual Review to Expedited Review and you cannot withdraw an Individual Review claim and refile it as an Expedited Review claim. For more information please see the Notice re Timing of a Change of Election from IR to ER available on DCPF's website.

COMPLETING THE NARCO ASBESTOS TRUST PROOF OF CLAIM FORM FOR UNLIQUIDATED CLAIMS TO BE PROCESSED UNDER INDIVIDUAL REVIEW

ELECTION PROCESS

Incorrect completion of this section may impact the processing of your claim which could result in processing delays. Therefore, please ensure that proper election(s) are made. The following information is provided to assist you in making the correct election(s):

- 1) Unliquidated Pre-Established Claim. An unliquidated Pre-Established Claim is (i) an unliquidated NARCO Asbestos Trust Claim that was filed and served on NARCO or Honeywell as a defendant in the tort system prior to January 4, 2002 (the “Petition Date”), based upon allegations that the injured party’s alleged asbestos-related injury arose in whole or in part from exposure to a NARCO asbestos-containing product, or (ii) a claim subject to a binding settlement agreement, entered into with Honeywell after the Petition Date but prior to April 30, 2013 (the “Effective Date”), and the settlement agreement entitles the claimant to file a NARCO Asbestos Trust Claim to be liquidated by the NARCO Asbestos Trust in accordance with the provisions of the TDP.

- 2) Special situations. Section 4.4 of the TDP describes three special situations that may apply to a claim. To help you in selecting a special situation, the following information is provided:
 - a. Extraordinary. Section 4.4(a) of the TDP – “‘Extraordinary Claim’ means a NARCO Asbestos Trust Claim that otherwise satisfies the Medical/Exposure Criteria for Disease Levels III-VII, and that is held by an [injured party] whose exposure to asbestos (i) occurred primarily as a result of working in a manufacturing facility of NARCO or its predecessors during a period in which NARCO was manufacturing asbestos containing products at that facility, provided that the claim is a tort claim that is not otherwise barred pursuant to a statutory workers’ compensation program, or (ii) was at least 75% the result of exposure to a specific asbestos containing product manufactured or distributed by NARCO or its predecessors and there is little likelihood of a substantial recovery elsewhere.” *If you are filing an Extraordinary Claim, please complete the applicable questions in Part 5 of the IR POC.*

 - b. Exigent Health. Section 4.4(b)(1) of the TDP – “A claim qualifies as an Exigent Health Claim if the claim meets the Medical/Exposure Criteria for Severe Asbestosis (Disease Level III) or an asbestos-related malignancy (Disease Levels IV-VII), and the claimant provides a declaration or affidavit made under penalty of perjury by a physician who has examined the [injured party] within one hundred twenty (120) days of the date of declaration or affidavit in which the physician states (a) that there is substantial medical doubt that the [injured party] will survive beyond six months from the date of the declaration or affidavit, and (b) that the [injured party’s] terminal condition is caused by the relevant asbestos-related disease.” *If you are filing*

an Exigent Health Claim, you must submit the foregoing physician's affidavit with your completed IR POC.

- c. Exigent Hardship. Section 4.4(b)(2) of the TDP – “A NARCO Asbestos Trust Claim qualifies for payment as an Exigent Hardship Claim if the claim meets the Medical/Exposure Criteria for Severe Asbestosis (Disease Level III) or an asbestos-related malignancy (Disease Levels IV-VII), and the NARCO Asbestos Trust, in its sole discretion, determines (a) that the [injured party] needs financial assistance on an immediate basis based on the [injured party's] expenses and all sources of available income, and (b) that there is a causal connection between the [injured party's] dire financial condition and the [injured party's] asbestos-related disease”. *If you are filing an Exigent Hardship Claim, you must complete the Application for Classification as Exigent Hardship Claim which is available on DCPF's website (www.narcoasbestostrust.org).*

PART 1: INJURED PARTY INFORMATION

This part is MANDATORY. Clarification as to certain data elements follows:

Current Residence. You must include the street address for the injured party's permanent residence at the time of filing the claim with the NARCO Asbestos Trust. This may be different from the mailing address. In addition, you must indicate the length of time that the injured party has resided at his/her permanent residence. If the injured party is deceased, provide the address of the injured party's last known residence, if this information is available.

Claimant's Jurisdiction. Claimant's Jurisdiction is defined in Section 4.3(b)(2) of the TDP as the jurisdiction in which the injured party's complaint specifically naming NARCO and/or Honeywell was pending (if at all) against NARCO or Honeywell in the tort system prior to the Petition Date. If the claim was not pending against NARCO and/or Honeywell as a named party in the tort system prior to the Petition Date, the Claimant's Jurisdiction is either (i) the jurisdiction in which the injured party was allegedly exposed to a NARCO asbestos-containing product, or (ii) the jurisdiction in which the injured party resides at the time the claim is filed with the NARCO Asbestos Trust.

In addition, if the Claimant's Jurisdiction election is based on Current Residence, the claimant must attach documentation to the claim form supporting the selected Claimant's Jurisdiction. Acceptable documentation includes items such as a copy of a driver's license, a copy of a passport, other proof of residence (including but not limited to a copy of a deed, lease, utility bill, etc.). If such documentation is not available, you must submit an affidavit explaining the selected Claimant's Jurisdiction and provide the reason(s) why documentation is not available.

If a Claimant's Jurisdiction election is made that is not in accordance with the TDP provisions, the claim will be deficient until proper election is made.

Deceased Claimants. If the injured party is deceased, you must provide the date of death, supported by the submission of a Death Certificate and Letters of Administration or other proof of the personal representative's official capacity as provided or allowed by applicable state law (if personal representative information is provided). You must also indicate whether the injured party's death was asbestos related.

PART 2: LAW FIRM/ATTORNEY INFORMATION

This part is MANDATORY if the claimant is represented by counsel.

PART 3: ASBESTOS – RELATED INJURY

This part is MANDATORY. You must allege the **most serious** asbestos-related injury for which the injured party qualifies from the Disease Levels below. The required medical and exposure criteria for each Disease Level are shown below. The asterisk (*) for Disease Levels II, III, IV and VI indicates that the Disease Level requires Significant Occupational Exposure (“SOE”) to asbestos. For all Disease Levels, you must also include the first diagnosis date for the asbestos-related injury selected. If you select Disease Levels IV or VI, you must also provide the date of diagnosis of the underlying Bilateral Asbestos-Related Nonmalignant Disease.¹

Level I: Other Asbestos Disease

1. Diagnosis of a Bilateral Asbestos-Related Non-Malignant Disease,
2. The requisite evidence of occupational exposure to a specific asbestos-containing product manufactured or distributed by NARCO or its predecessors, and
3. Five (5) years cumulative occupational exposure to asbestos.

**** Level II: Asbestosis/Pleural Disease***

1. Diagnosis of a Bilateral Asbestos-Related Non-Malignant Disease,
2. TLC less than 80%, or FVC less than 80% plus FEV1/FVC ratio greater than or equal to 65%,
3. The requisite evidence of occupational exposure to a specific asbestos-containing product manufactured or distributed by NARCO or its predecessors,
4. Significant Occupational Exposure to asbestos, and
5. Supporting medical documentation establishing asbestos exposure as a contributing factor in causing the pulmonary disease in question.

¹ Evidence of “**Bilateral Asbestos-Related Non-Malignant Disease**” for purposes of meeting the criteria for establishing Disease Levels, I, II, IV and VI, means either (i) a chest X-ray read by a NIOSH certified B reader of 1/0 or higher on the ILO scale or (ii) (x) a chest X-ray read by a NIOSH certified B reader, (y) a CT scan read by a qualified physician, or (z) pathology, in each case showing either bilateral interstitial fibrosis, bilateral pleural plaques, bilateral pleural thickening, or bilateral pleural calcification. Solely for claims filed against NARCO, Honeywell, or another asbestos defendant in the tort system prior to the Petition Date, if an ILO reading is not available, either (i) a chest X-ray or a CT scan read by a qualified physician, or (ii) pathology, in each case showing either bilateral interstitial fibrosis, bilateral pleural plaques, bilateral pleural thickening, or bilateral pleural calcification consistent with or compatible with a diagnosis of asbestos-related disease, shall be evidence of a Bilateral Asbestos-Related Nonmalignant Disease for purposes of meeting the presumptive medical requirements of Disease Levels I, II, IV, and VI. TDP, footnote 4.

****Level III: Severe Asbestosis***

1. Diagnosis of asbestosis with ILO of 2/1 or greater, or asbestosis determined by pathological evidence of asbestos, plus (a) TLC less than 65%, or (b) FVC less than 65% plus FEV1/FVC ratio greater than 65%,
2. The requisite evidence of occupational exposure to a specific asbestos-containing product manufactured or distributed by NARCO or its predecessors,
3. Significant Occupational Exposure to asbestos, and
4. Supporting medical documentation establishing asbestos exposure as a contributing factor in causing the pulmonary disease in question.

****Level IV Other Cancer***

1. Diagnosis of a primary colo-rectal, laryngeal, esophageal, pharyngeal, or stomach cancer, plus evidence of an underlying Bilateral Asbestos-Related Nonmalignant Disease,
2. The requisite evidence of occupational exposure to a specific asbestos-containing product manufactured or distributed by NARCO or its predecessors,
3. Significant Occupational Exposure to asbestos, and
4. Supporting medical documentation establishing asbestos exposure as a contributing factor in causing the other cancer in question.

Level V Lung Cancer 2

1. Diagnosis of a primary lung cancer,
2. The requisite evidence of occupational exposure to a specific asbestos-containing product manufactured or distributed by NARCO or its predecessors, and
3. Supporting medical documentation establishing asbestos exposure as a contributing factor in causing the lung cancer in question.

****Level VI Lung Cancer 1***

1. Diagnosis of a primary lung cancer, plus evidence of an underlying Bilateral Asbestos-Related Nonmalignant Disease,
2. The requisite evidence of occupational exposure to a specific asbestos-containing product manufactured or distributed by NARCO or its predecessors,
3. Significant Occupational Exposure to asbestos, and
4. Supporting medical documentation establishing asbestos exposure as a contributing factor in causing the lung cancer in question.

Level VII: Mesothelioma

1. Diagnosis of mesothelioma, and
2. The requisite evidence of exposure to a specific asbestos-containing product manufactured or distributed by NARCO or its predecessors.

TDP Section 4.7(a)(1)(A) Disease Levels I-III: Except for claims filed against NARCO or Honeywell and claims filed against other defendants in the tort system prior to the Petition Date, all diagnoses of a non-malignant asbestos-related disease (Disease Levels I-III) shall be based in the case of a claimant who was living at the time the claim was filed, upon a physical examination of the claimant by the physician providing the diagnosis of the asbestos-related disease. The exception noted in the preceding sentence shall not apply if the holder of the claim has available a diagnosis by an examining physician engaged by the holder or if the holder has filed a diagnosis by an examining physician with another asbestos-related personal injury settlement trust (in which event the diagnosis must be submitted to the NARCO Asbestos Trust (as TDP Section 4.7(a)(1)(C) requires).

In the case of a claimant who was deceased at the time the claim was filed, all diagnoses of a non-malignant asbestos-related disease (Disease Levels I-III) shall be based on

- (i) either (a) a physical examination of the claimant by the physician providing the diagnosis of the asbestos-related disease; (b) pathological evidence of the non-malignant asbestos-related disease; or (c) in the case of Disease Levels I-II, evidence of Bilateral Asbestos-Related Nonmalignant Disease (defined in footnote 1) and for Disease Level III, either an ILO reading of 2/1 or greater or pathological evidence of asbestosis; and
- (ii) for either Disease Level II or III, pulmonary function testing.

TDP Section 4.7(a)(1)(B) Disease Levels IV- VII: All diagnoses of an asbestos-related malignancy (Disease Levels IV – VII) shall be based upon either (i) a physical examination of the claimant by the physician providing the diagnosis, or (ii) on a diagnosis of such a malignant Disease Level by a board-certified pathologist.

A claimant submitting a claim for a significant medical condition that does not meet the presumptive Medical Criteria for Disease Levels I-VII may also undergo Individual Review upon submission by the claimant of a physician’s report describing the claimant’s medical condition in detail, together with such other supporting evidence, such as findings of experts, that establishes the existence of the medical condition. For example, a significant medical condition would include any asbestos-related medical condition which caused or contributed to the death of the claimant and/or for which surgery has been or will be required, as well as any asbestos-related medical condition such as significant pleural encasement or Cor Pulmonale. Such claimants must still submit the requisite evidence of exposure.

PART 4: LITIGATION

The first question in this part asks “Has an asbestos-related lawsuit or claim ever been filed on behalf of the injured party?” Answering this question is MANDATORY for all claimants. If you answer “yes”, to this question, the remainder of Part 4 is MANDATORY. If you answer “no”, to this question, you may proceed to Part 5.

Part 4, Subpart A: Litigation History

If an asbestos-related lawsuit or claim has ever been filed on behalf of the injured party, the appropriate information in this part must be completed. This Subpart A does not apply to claims filed with any asbestos-related bankruptcy entity, asbestos-related trust, or asbestos-related claims resolution facility, as these claims are addressed in Subpart B below. ***Note: Litigation information is relevant and must be provided even if neither NARCO nor Honeywell was named in the lawsuit, as the TDP has various provisions that are applicable if the injured party has filed a lawsuit, including but not limited to the tolling of the statute of limitations. Part 4, Subpart A must be completed in its entirety if an asbestos-related lawsuit on behalf of the injured party exists or existed in the past, even if not presently pending.***

Certain documents must be submitted for each asbestos-related lawsuit filed on behalf of the injured party, regardless of whether the case has been dismissed, discontinued, or otherwise resolved, and regardless of whether it named NARCO or Honeywell. The required documentation includes the following:

- File-stamped copy of the complaint, as amended,
- Any standard disclosures or interrogatories and the answers thereto required by the applicable jurisdiction, and
- Any affidavits or deposition testimony submitted by or on behalf of the injured party.

In addition to the submission of all documentation required by Part 4, Subpart A, you must submit an affirmation in which you or your attorney affirm to the best of your (or your attorney's) knowledge, information and belief, formed after an inquiry reasonable under the circumstances, all documents required by Part 4 of the IR claim form have been submitted to DCPF as part of the claim file for your claim.

To the extent that affidavits or depositions from a person other than the injured party include information that bears on an injured party's exposure to a NARCO asbestos-containing product (whether or not the affidavits or depositions mentioned NARCO) and were submitted on behalf of the injured party to a court, an insurance company, or an asbestos defendant in the tort system in an effort to support an asbestos claim, those affidavits and depositions must also be submitted. Such affidavits and depositions must be submitted regardless of whether they tend to support the claim of exposure to a NARCO asbestos-containing product. Affidavits and depositions that do not relate to the time period of the injured party's exposure to a NARCO asbestos-containing product do not have to be submitted to the NARCO Asbestos Trust, unless the affidavit or deposition: (1) names the injured party and (2) contradicts the evidence of the injured party's exposure to a NARCO asbestos-containing product. Affidavits that were submitted to other asbestos trusts only do not have to be submitted to the NARCO Asbestos Trust. Examples of the situations in which an affidavit or deposition must be submitted under this requirement appear below. These are provided for illustration purposes only.

Example 1:

Injured Party 1 submitted Affidavit A in the tort system relating to an action against a non-NARCO defendant. Affidavit A (i) did not mention NARCO and (ii) stated

that Injured Party 1 worked at the Ford Rouge Plant in Dearborn, Michigan from February 1, 1977 to August 31, 1980 as a “laborer.” Subsequently, Injured Party 1 filed Affidavit B in support of an IR claim against NARCO. Affidavit B stated that Injured Party 1 worked at the Ford Rouge Plant in Dearborn, Michigan from February 1, 1977 to August 31, 1980 as a “boilermaker”.

Instruction: Both Affidavit A and Affidavit B must be filed with the NARCO Asbestos Trust in connection with Injured Party 1’s IR Claim along with an explanation of any potential ambiguity or inconsistency between the two affidavits.

Example 2:

On May 10, 2016, Injured Party 2 filed Affidavit C with the NARCO Asbestos Trust and alleged that NARCO asbestos products were used on newly constructed ships. Before that date, on December 31, 2014, Injured Party 2 filed Affidavit D with the NARCO Asbestos Trust, which did not state that a NARCO asbestos-containing product was present on newly constructed ships at the Newport News Shipyard (“NNS”). Also on December 31, 2014, Injured Party 2 signed three other affidavits (E, F and G) regarding other asbestos-containing products in use at NNS and each one discussed their presence on newly constructed ships. Affidavits E, F, and G were submitted on behalf of Injured Party 2 to a court, an insurance company, or an asbestos defendant in the tort system in an effort to support an asbestos claim.

Instruction: Affidavits E, F and G must be filed with the NARCO Asbestos Trust in addition to Affidavit C and Affidavit D in connection with Injured Party 2’s IR Claim against the NARCO Asbestos Trust. Injured Party 2 is requested to explain its omission of a statement regarding the presence of a NARCO asbestos-containing product on a newly constructed ship at the Newport News Shipyard in Affidavit D. If such explanation is not provided, the NARCO Asbestos Trust will issue a deficiency notice, and processing of the claim will be delayed until the explanation is provided.

Example 3:

The daughter of Injured Party 3 filed Affidavits H and I in support of Injured Party 3’s IR Claim against the NARCO Asbestos Trust. Affidavit H stated that Injured Party 3: “was exposed to the following asbestos-containing products supplied, manufactured, installed, maintained, repaired or removed by Plibrico Company and/or Plibrico Sales and Service Inc.” and named three products manufactured by Plibrico. Affidavit I stated that Injured Party 3, to the best of the affiant’s knowledge “had been exposed to asbestos-containing refractory products and had breathed air-containing particles of dust arising from such products from the years of 1967 to 1979 . . . [and] had worked at one or more but not limited to one of the following major sites listed below . . . , whereupon on information and belief, one or more NARCO/North American Refractories/Honeywell International asbestos-

containing products, such as NARCOLITE, was manufactured, sold or distributed by NARCO/North American Refractories/Honeywell International, etc. . . .”

The daughter of Injured Party 3 was deposed on December 31, 2014 in an action in which NARCO was not a defendant. In that deposition, the daughter of Injured Party 3 was asked the following questions and gave the following answers:

Q: Do you have any personal knowledge of any of the products, things that your dad would work with while he was at work?

A. No, I don't.

Q. Would it be fair to say that you don't know whether or not anything he worked with contained asbestos?

A. Yes.

Q. Did he ever tell you about any asbestos problems?

A. No, he didn't like to talk about work.

Instruction: Affidavits H and I and the full transcript of the December 31, 2014 deposition testimony must be submitted to the NARCO Asbestos Trust in connection with Injured Party 3's IR Claim against the NARCO Asbestos Trust along with an explanation of any potential ambiguity or inconsistency between the Affidavits and the December 31, 2014 deposition. If such explanation is not provided, the NARCO Asbestos Trust will issue a deficiency notice, and processing of the claim will be delayed until the explanation is provided.

Special Instructions for Unliquidated Pre-Established Claims: Proof of service must be provided if litigation information is provided and the claimant is seeking to prove that the claim is an unliquidated Pre-Established Claim as a result of being filed and served on NARCO or Honeywell as a defendant in the tort system prior to the Petition Date. Examples of acceptable forms of Proof of Service include (a) a dated return of summons verifying service on behalf of the claimant on NARCO or Honeywell with respect to alleged NARCO product exposure, or (b) a court file-stamped and dated copy of an answer by NARCO or Honeywell with respect to the alleged NARCO product exposure.

Part 4, Subpart B: Claims History

The first question in Subpart B is MANDATORY. It asks whether a claim has ever been filed on behalf of the injured party with any asbestos-related bankruptcy entity, asbestos-related trust, or asbestos-related claims resolution facility. An answer of “yes”, “no” or “decline to answer” is MANDATORY. If the answer is “yes”, the claimant is required to submit the claim file and complete the information required in this section (regardless of the status of the claim).

PART 5: EXPOSURE TO NARCO ASBESTOS-CONTAINING PRODUCTS

Part 5, Subpart A: Occupational Exposure

Part 5, Subpart A is used to describe NARCO exposure and completion is MANDATORY. In order to qualify for any Disease Level, the injured party or the occupationally-exposed person in the case of a Secondary Exposure Claim must submit requisite evidence of exposure to a specific asbestos-containing product manufactured, sold or distributed by NARCO or its predecessors. This requirement includes demonstrating both the presence of such products at a particular site at a particular time and the individual's occupational exposure to that product.

Following are some specifics regarding Subpart A completion:

- 1) Industry, Occupation and Product code(s) are listed on pages 19-22 of the IR POC and are also available on DCPF's website (www.narcoasbestostrust.org).
- 2) Industry Code 25 for "Other" requires the claimant to describe the industry in which the injured party's (or the occupationally exposed person in the case of a Secondary Exposure Claim) exposure took place.
- 3) If the injured party's occupation is not an exact match to an occupation on the occupations list, use "Occupation Code 126. Other" and use the "Comment" field to provide the specific occupation.
- 4) A list of approved worksites with approved date ranges is available on DCPF's website (www.narcoasbestostrust.org). Use the worksite code associated with the specific site when alleging exposure, whether or not the exposure dates are within the approved date range.
- 5) The worksite code "583 – Not Qualified" is to be used when the worksite/plant of exposure is not on the approved Worksite List and the claimant alleges exposure to a NARCO asbestos-containing product at that worksite. Do not use worksite code "4895 – Not Narco" for a worksite where you are alleging exposure to a NARCO asbestos-containing product. The worksite code "4895 – Not Narco" should only be used in Part 6 of the IR POC for exposure to another manufacturer's asbestos-containing product.
- 6) If worksite code "583 – Not Qualified" is used, you must enter the name and address of the worksite at which NARCO exposure is alleged.
- 7) If worksite code "583 – Not Qualified" is used, you must enter the specific NARCO asbestos-containing product to which exposure is alleged using the Product Codes(s) listed on page 22 of the IR POC. The Product List is also available on DCPF's website (www.narcoasbestostrust.org).

- 8) When entering worksite information for exposure to a NARCO asbestos-containing product that occurred onboard a ship use worksite code “583 – Not Qualified” and enter the ship information as follows:

Name of Site/Plant of Exposure:	Enter the ship name
City:	Enter the ship name, or at sea, or maritime
State/Province:	Enter the state of home base/port, or maritime
Country:	Enter USA for a U.S. ship or the country of origin for a foreign ship

- 9) Exposure entered in Subpart A may be considered for Significant Occupational Exposure (“SOE”) if employment was prior to December 1, 1986. (The Presumptive SOE Industry-Occupation Table is available on DCPF’s website (www.narcoasbestostrust.org)).

Extraordinary Claims. If you are seeking treatment as an Extraordinary Claim indicate whether the injured party’s asbestos exposure occurred from working at one or more manufacturing facilities of NARCO or its predecessors and/or the percentage of injured party’s total asbestos exposure that arises from exposure to NARCO asbestos-containing products.

Part 5, Subpart B: Secondary Exposure, Including Family Member

Completing Part 5, Subpart B is necessary only when the claimant is alleging an asbestos-related disease resulting solely from exposure to an occupationally-exposed person—a Secondary Exposure Claim. For example a spouse or child (diagnosed with an asbestos-related disease) of someone who was exposed in the workplace may file a Secondary Exposure Claim.

In such a case, the claimant must establish that the occupationally exposed person would have met the exposure requirements under the TDP that would have been applicable had that person filed a direct claim against the NARCO Asbestos Trust. In addition, the claimant with secondary exposure must establish that he or she is suffering from one of the seven Disease Levels described in Part 3 above, that his or her asbestos-related disease was caused by exposure through the occupationally exposed person to asbestos containing product manufactured, sold or distributed by NARCO or its predecessors, and that his or her exposure to the occupationally exposed person occurred within the same time frame as the occupationally exposed person was exposed to NARCO product.

In a Secondary Exposure Claim, the injured party is not claiming that the injured party was exposed to NARCO asbestos-containing products as a result of the injured party’s occupation. A Secondary Exposure Claim should not be confused with a claim where the injured party’s occupational exposure is based on an allegation that the injured party worked on a regular basis in close proximity to workers whose activities exposed both the injured party and the other workers to asbestos-containing products. Such claims are direct claims. Persons asserting direct claims should complete Part 5, Subpart A.

Since the injured party’s exposure was secondary (based upon exposure to an occupationally-exposed person), the injured party must state the relationship to the occupationally-exposed person at the time of exposure.

Part 5, Subpart C: Exposure to Other Substances

Part 5, Subpart C is MANDATORY if the injured party's alleged Disease Level is Level III – VI. The claimant must state, to the best of the claimant's knowledge, whether the injured party has ever been exposed to any of the substances identified in Subpart C during the course of any employment that may have contributed to the injured party's Disease Level. If yes, describe the circumstances surrounding such exposure.

Sufficiency of Evidence - NARCO exposure submission requirements for Part 5:

- 1) All alleged NARCO exposure **MUST** be confirmed by submission of credible evidence that the injured party or the occupationally-exposed person in the case of a Secondary Exposure Claim was exposed to a NARCO asbestos-containing product manufactured, sold, or distributed by NARCO or its predecessors.
- 2) Section 4.7(b)(1) of the TDP states that, “In order to demonstrate exposure to the NARCO asbestos-containing product at the relevant site, a claimant must submit competent evidence that [the injured party or the occupationally-exposed person in the case of a Secondary Exposure Claim] worked on a regular basis with the NARCO asbestos containing product or worked on a regular basis in close proximity to workers engaged in the activities set forth in Section 4.7(b)(2)(a) through (c).”
- 3) Section 4.7(b)(3) of the TDP states that, “The NARCO Asbestos Trust may consider as evidence an affidavit of the claimant, an affidavit of one or more Co-workers² or the affidavit of a family member in the case of a deceased claimant, depositions, sworn interrogatory answers, invoices, construction or similar records, or other competent evidence. The NARCO Asbestos Trust can also require submission of other or additional evidence of exposure when it deems such to be necessary.”
 - a. The required evidence for a claim may be submitted by one or more individuals. Specifically, one individual may submit an affidavit, based on his/her personal observations, establishing that an asbestos-containing NARCO product was present at a particular worksite during the relevant time period (i.e. the time period the claimant worked at the site in question) and another individual may submit an affidavit, also based on his/her personal observations, establishing that he/she worked with the claimant and that the claimant worked with or around refractory products at that worksite, all during that relevant time period. As provided in Section 4.7(b)(3), exposure evidence may also be provided by the claimant, family members in the case of a deceased claimant, depositions, sworn

² As used above, “**Co-worker**” shall mean one or more individuals who provide competent sworn testimony (i) that the claimant worked with or around refractory products and (ii) that asbestos-containing products manufactured or distributed by NARCO were present at the worksite during the relevant period. A Co-worker's affidavit must provide sufficient evidence to show that the Co-worker meets this definition. TDP, footnote 11. This definition means that for an individual to qualify as a Co-worker of the injured party they must have been working at the same site in the same time-frame.

interrogatory answers, invoices, construction or similar records, or other competent evidence.

- b. The definition of “Co-worker” does not alter or impact the evidentiary showing a claimant is obliged to make under Section 4.7(b)(1), which requires a demonstration of the injured party’s occupational exposure to a specific NARCO asbestos-containing product.
- 4) For deposition transcripts and sworn interrogatory answers submitted in support of a claim, the claimant must include the full document and clearly designate the relevant portions of the transcript and/or answers. The NARCO Asbestos Trust will not review the transcript and/or answers if the relevant portions have not been clearly designated. Deposition transcripts must be signed by the court reporter or accompanied by a completed Unsigned Deposition Affirmation which can be found on DCPF’s website (www.narcoasbestostrust.org). Interrogatory Answers must be executed as required under the applicable jurisdiction’s rules regarding interrogatory answers.

PART 6: OTHER REQUISITE EXPOSURE TO ASBESTOS-CONTAINING PRODUCTS OR ACTIVITIES

Part 6 covers the injured party’s other requisite exposure to asbestos (non-NARCO or its predecessors) and is mandatory where applicable. This part allows the injured party to qualify for Disease Levels that have an SOE requirement, i.e. Disease Levels II, III, IV and VI and for Disease Level I, which requires five (5) years cumulative occupational exposure to asbestos. Part 6 should be used to provide the details of the injured party’s exposure at a “Not Narco” worksite.

There are a few differences between completing Part 6, Subpart A and completing Part 5, Subpart A.

- 1) It is not necessary to identify the product(s) to which exposure is alleged.
- 2) You must provide the worksite information as these exposures took place at a “#4895-Not Narco” site.
- 3) The “Description of Occupational Exposure at this worksite” section requires the claimant to indicate how the injured party or the occupationally-exposed person in the case of a Secondary Exposure Claim was exposed.
- 4) When entering worksite information for exposure to another manufacturer’s asbestos-containing product that occurred onboard a ship, use worksite code “4895-Not Narco” and enter the ship information as follows:

Name of Site/Plant of Exposure:	Enter the ship name
City:	Enter the ship name, or at sea, or maritime
State/Province:	Enter the state of home base/port, or maritime
Country:	Enter USA for a U.S. ship or the country of origin for a foreign ship

5) All other fields remain as explained for Part 5.

Sufficient evidence for Other Requisite Occupational Exposure in this Part 6 is the same as stated above in Part 5, items 2) and 3).

PART 7: ADDITIONAL INFORMATION FOR CLAIMANTS SEEKING INDIVIDUAL REVIEW

This part is MANDATORY. Part 7 requests additional information regarding certain factors impacting the valuation of claims submitted for Individual Review including the injured party's tobacco history, employment/earnings history, and financial dependents. All applicable sections of Part 7 must be completed.

Injured Party's Tobacco History. This section is required for all claims except Mesothelioma (Disease Level VII).

Employment/Earnings Information. This section is required if the claimant is claiming economic losses. If the claimant is claiming an economic loss, the claimant must provide an economist report, IRS Form W-2, IRS Form 1040, or other credible evidence to support the information provided in this section.

In addition, if the claimant is claiming a loss of earnings or impairment of earning power because of the injured party's medical conditions, the claimant must identify all medical conditions, whether asbestos related or not, that potentially contributed to the injured party's loss or impairment and the date of commencement of any loss or impairment.

Financial Dependents. The claimant must identify the injured party's spouse/partner and any other financial dependents of the injured party or the injured party's estate at the time of diagnosis of the claimed Disease Level. If the dependent is not the injured party's spouse/partner or child, you must explain the injured party's relationship to the dependent. If the dependent is employed you must identify the dependent's annual income and provide supporting documentation. You must also identify the amount of financial support that the injured party or the injured party's estate provides to the dependent on an annual basis.

Other Factors for Consideration. This section allows you to provide an explanation of any other factors not covered in the previous sections that you feel should be considered during the NARCO Asbestos Trust's review of the claim.

A claimant seeking to establish that a Disease Level III-VII claim warrants a liquidated value higher than the applicable Scheduled Value, may provide the NARCO Asbestos Trust with an explanation of the injured party's circumstances, including but not limited to the injured party's disability, disruption of household, family or recreational activities, special damages, and pain and suffering.

The claimant should provide with the IR POC all additional supporting documentation that the claimant wants the NARCO Asbestos Trust to consider during the

review and evaluation of the claim and should not assume that there will be a later opportunity to submit additional information or documentation in support of his claim.

PART 8: SIGNATURE

All claims must be signed by the injured party's attorney or, if the injured party is not represented by an attorney, the injured party or the injured party's personal representative. Please note that the individual who signs the claim form is verifying both the claim form itself and the information submitted in support of the claim. If you are an attorney, by signing you are certifying the information is submitted pursuant to and subject to Rule 11 of the Federal Rules of Civil Procedure. If you are an individual not represented by an attorney, you are attesting to the truth of this information under penalty of perjury and certifying that the information submitted meets the requirements of Rule 11(b) of the Federal Rules of Civil Procedure. If you are an individual, you are also certifying that you are aware of the potential penalties for presenting a fraudulent claim that include a fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

HELPFUL TIPS

Review your claim one last time before you submit it to DCPF. Missing sections, attachments, or conflicting information will result in a notification requiring you to correct that submission and/or submit additional information. Also, review the Submission Checklist at the end of the IR POC and attach all required documentation to your IR POC.

Check to ensure that your supporting documentation is for the same person indicated on the IR POC. **Please do not staple the claim form or medical documentation.** Once received by DCPF, all documents are immediately scanned and imaged, which will be slowed if documents are stapled. Any paper documentation will be destroyed upon imaging.

A death certificate is not acceptable as medical documentation. However, it must be provided if the injured party is deceased.

The completed IR POC including all medical and other supporting documents must be in English (or accompanied by a certified translation) and legible. If poor photocopies are attached, the claim will be considered incomplete.

The NARCO Asbestos Trust maintains a list of physicians and laboratories whose medical reports the NARCO Asbestos Trust will not accept. Please do not provide medical records from a physician or pulmonary function laboratory on this list, which is available on DCPF's website (www.narcoasbestostrusto.org).

When completing the exposure sections of the claim form, the month and year are required for both the start and end dates. If an injured party was exposed at multiple locations during a time frame, please provide each record individually.

Be sure to identify—on the cover page of the IR POC under “Law Firm Administrative Contact for this Claim”—the person DCPF should contact if there is a question about the claim. If a law firm is submitting the claim, this should be the person(s) responsible for answering filing questions and collecting the needed information. In most cases, this is not the attorney of record.

If you are new to claim filing, are not sure of the accepted way to complete the claim form, or have any other questions, please call 1-800-708-8925 or email questions to claimantrelations@delcpf.com.

Additional helpful documents and information as well as a list of Frequently Asked Questions are available under the NARCO Trust’s documents on DCPF’s website (www.narcoasbestostrust.org).