**Manville Trust Distribution Process Revised**
***Statute of Limitations Provision Modified***

In January 2010, the Selected Counsel for the Beneficiaries and the Legal Representative of Future Claimants concurred with a proposal from the Manville Trustees to amend the 2002 Manville Trust Distribution Process (TDP).

The amendment requires that Manville Trust claims must be filed before the expiration of applicable statutes of limitations. It modifies language at Section F.1 of the TDP, and adds a new Section F.1(a). The new statute of limitations provision becomes effective on January 1, 2011.

The amendment also adds a sentence to TDP Section B.2(b), which now permits a claimant to defer processing of a claim for as long as three years.

A red-lined version of the amended provisions is enclosed.

The complete, updated 2002 TDP is posted on the Manville Trust Document Tab T.

**Revision to Modify Statute of Limitations Provision of the Manville 2002 TDP**

*Adopted January 2010*

**B. Ordering and Categorizing of Claims.**

**1. Ordering of Claims**. Claims will be ordered for processing on a FIFO basis. A claimant's position in the FIFO queue will be determined by the earlier of (i) the date of receipt by the Trust of an acceptable proof of claim form with the Trust or (ii) the date of filing a lawsuit for an asbestos-related injury against the Trust or any other defendant.

**2. Categorizing of Claims by Disease**.

(a) As a proof of claim is reached in the FIFO queue, the Trust will evaluate it to determine whether the claim meets the Categorization Criteria for a Scheduled Disease and shall advise the claimant of its determination. If a Scheduled Disease is determined, except for Non-Standard Claims, the Trust shall tender to the claimant an offer of payment of the Scheduled Value for the Scheduled Disease, together with a form of release. If the claimant accepts the Scheduled Value and returns the release properly executed, the Trust shall disburse payment within 30 days thereafter, subject to the terms of Section H.3 below.

(b) If the claimant does not respond to the Trust's offer within 360 days, the claim will be deactivated. If the claim remains in a deactivated status for two years, it will be deemed to be withdrawn and a new claim will have to be filed if claimant later wishes to pursue the claim. During the period of deactivation, Claimant may request that the claim be reactivated solely for the purpose of accepting the Trust's last offer. A claimant may also elect to withdraw a claim at any time. A claim that is withdrawn or deemed to have been withdrawn may be re-filed at any time, and shall be ordered in the FIFO queue based on the date of receipt by the Trust of the re-filed claim. A claimant can also request that the processing of his or her claim be deferred for a period not to exceed three (3) years without affecting the status of the claim for statute of limitation purposes, in which case the claimant shall also retain his or her original place in the FIFO processing queue.

(c) If the Trust determines that a claim does not meet the Categorization Criteria for a Scheduled Disease, or determines the claim is a Non-Standard Claim as defined in Section C, or if a claimant disagrees with the Scheduled Disease determination made by the Trust, the claimant may dispute the determination. Upon receipt of written advice from the claimant of such a dispute, coupled with the claimant's written statement of the basis for the dispute and any supporting documentation, the Trust shall reevaluate the claim in light of all then available documentation and advise the claimant of its determination. If on reevaluation the

Trust determines that the claim qualifies for placement in a Scheduled Disease Category or in a different Scheduled Disease Category than the Trust originally determined, the Trust shall tender an offer in the amount of the Scheduled Value for the Scheduled Disease so determined, together with a form of release. If the claimant accepts the Scheduled Value and returns the release properly executed, the Trust shall tender payment within 30 days thereafter, subject to the terms of Section H.3 below.

(d) If the claimant still disputes the Trust's categorization of the claim or denial of categorization, the claimant may elect arbitration of the categorization or individual evaluation….

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**F. Resolution of Categorization and Valuation Disputes.**

**1. Contestable Matters**. Except for Non-Standard or Extraordinary Claims, if a claim otherwise meets the Categorization Criteria for a Scheduled Disease, the Trust will pay the Scheduled Value for that disease in accordance with the provisions of this TDP. If a claimant chooses individual evaluation, and if the claim is eligible to be placed in one of the Scheduled Disease Levels, and is supported by appropriate evidence, the Trust will not dispute the culpability of Manville's conduct, or, as a general proposition, that asbestos exposure caused such disease. Instead, the Trust will have the right to contest only the following matters:

-- the type and seriousness of the claimant's injuries;
-- the claimant's exposure to Manville asbestos products;
-- other causation-in-fact issues;
-- the amount of damages; and
-- applicability of statutes of limitation ~~to the extent the statute barred the claim as of October 1, 1990~~ as set forth in the following subsection 1(a).

Nothing in this paragraph is intended to amend or alter the contestable issues the Trust is permitted to assert as defined in the Claims Resolution Procedures and the Trust Agreement.

(a) All Manville Trust claims arising from exposure to asbestos in the United States must meet the applicable federal or state statute of limitations that was in effect at the time of filing with the Trust. In addition, irrespective of the application of any relevant federal or state statute of limitations or repose, any claims may be filed with the Trust within three years after date of diagnosis or, if later, date of asbestos-related death. All Manville Trust claims arising from exposure to asbestos outside the United States must be filed with the Trust within three years after the date of diagnosis or, if later, date of asbestos-related death. This subsection F.1(a) will become effective on January 1, 2011.