UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In re	§	**Chapter 11**
KAISER GYPSUM COMPANY, INC., *et al.*	§	**Case No. 16-31602 (JCW)**
Debtors.	§	**(Jointly Administered)**

ANNUAL REPORT, FINANCIAL STATEMENTS AND CLAIMS SUMMARY OF THE KAISER GYPSUM ASBESTOS PERSONAL INJURY TRUST FOR FISCAL YEAR ENDED DECEMBER 31, 2021

David F. Levi (the ***"Trustee"***), as Trustee of the Kaiser Gypsum Asbestos Personal Injury Trust (the ***"Trust"***), respectfully files this Annual Report, Financial Statements and Claims Summary for Fiscal Year Ended December 21, 2021 (the ***"Report"***), pursuant to the Third Amended Joint Plan of Reorganization of Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc. (the ***"Plan"***) and the Kaiser Gypsum Asbestos Personal Injury Trust Agreement (the ***"Trust Agreement"***).

I. General

On September 30, 2016, Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc. (the ***"Debtors"***) filed a petition for relief under Chapter 11 of the United States Bankruptcy Code. The Debtors' respective bankruptcy cases are jointly administered under Case No. 16-31602. On September 28, 2020, the United States Bankruptcy Court for the Western District of North Carolina—Charlotte Division (the ***"Bankruptcy Court"***) entered its Order Recommending Entry of Proposed Findings of Fact and Conclusions of Law and Order Confirming Joint Plan of Reorganization. On July 28, 2021, the United States District Court for the Western District of North Carolina—Charlotte Division (the ***"District Court"***) adopted the Bankruptcy Court's

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recommendation and entered its Order Confirming the Joint Plan of Reorganization of Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc., As Modified.

To address the asbestos-related liabilities of the Debtors, the Plan established the Trust in accordance with the Trust Agreement. On August 12, 2021, the Effective Date of the Plan, the Trust was created and funded with over $49 million in cash and a Secured Non-Recourse Payment Note in the amount of $1 million. The Debtors also transferred their rights to insurance proceeds from certain Asbestos Insurance Policies, including any settlement agreements made in connection with Asbestos Claims. Finally, the Debtors transferred certain rights related to the "Phase I Claims," as defined in the Plan.[1]

The Trustee of the Trust during 2021 was David F. Levi. The Trust's principal office is at 1100 North Market Street, Wilmington, DE 19890, and its administrative office is at c/o Stutzman Bromberg Esserman and Plifka, P.C., 2323 Bryan Street, Suite 2200, Dallas, TX 75201, Attn: Sander L. Esserman.

The Trust has retained the following professionals and advisors: Stutzman, Bromberg, Esserman & Plifka, A Professional Corporation (general counsel); Anderson Kill, P.C. (insurance coverage counsel); CBIZ (accounting and tax advisors); BKM Sowan Horan (independent auditors); Verus, LLC (claims processor); Morgan Stanley (asset manager and advisor); AON Corporation (insurance agent); Epiq Mass Tort (MMSEA reporting advisor); and Ankura Consulting Group, LLC (claims consultant). The Trustee held weekly Trust meetings in 2021 by telephone, beginning on September 13, 2021. The Trust's general counsel, Stutzman, Bromberg, Esserman & Plifka, PC, serves as the custodian of Trust records.

[1] The Phase I Claims were settled by the Debtors in February 2022, resulting in an additional $12,000,000 payment to the Trust.

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In 2021, the Trust (i) invested and managed its assets; (ii) created the Trust's website, kaisergypsumtrust.org; (iii) developed accounting and auditing functions for the Trust; (iv) conducted due diligence related to claims data and forecasts of the Trust's liability for Asbestos Personal Injury Claims; (v) obtained appropriate liability insurance policies covering the Trustee, the members of the TAC and the FCR; and (vi) performed all functions required for Trust governance, including maintaining the Trust's books and records and approval of the budget for fiscal year 2022. The Trustee has performed pursuant to and in compliance with the Plan, the Trust Agreement, and the TDP in all matters pertaining to the operation of the Trust during the fiscal year ended December 31, 2021.

II. Asbestos Personal Injury Claims

As of December 31, 2021, the Trust was still in the process of conducting its due diligence for purposes of determining an appropriate Payment Percentage and Maximum Annual Payment, and it was also in the process of developing appropriate Claims Materials. The Trust had not begun accepting or processing Asbestos Claims as of December 31, 2021, and there is therefor no claims data to provide the Court with this Report.

III. Financial Statements

A copy of the Trust's audited financial statements for the year ending December 31, 2021, including a balance sheet as of December 31, 2021 and a statement of operations for 2021, is attached hereto as Exhibit A. Exhibit A also includes BKM Sowan Horan's opinion as to the fairness of the financial statements' presentation of the cash and investments available for the payment of claims and as to the conformity of the financial statements with special purpose accounting methods.

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Respectfully submitted this 21st day of April 2022.

STUTZMAN, BROMBERG, ESSERMAN & PLIFKA, P.C.

By */s/ Sander L. Esserman*
SANDER L. ESSERMAN
State Bar No. 06671500
CLINT L. TAYLOR
State Bar No. 24042008

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ATTORNEYS FOR THE KAISER GYPSUM ASBESTOS PERSONAL INJURY TRUST

CERTIFICATE OF SERVICE

The undersigned certifies that on the 21st day of April 2022, the foregoing Annual Report, Financial Statements and Claims Summary of Kaiser Gypsum Asbestos Personal Injury Trust for Fiscal year Ended December 31, 2021 was served via ECF on all those parties receiving such notice through the Court's CM/ECF system.

/s/ Sander L. Esserman
SANDER L. ESSERMAN

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UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In re	§	**Chapter 11**
KAISER GYPSUM COMPANY, INC., *et al.*	§	**Case No. 16-31602 (JCW)**
Debtors.	§	**(Jointly Administered)**

EXHIBIT A

ANNUAL REPORT, FINANCIAL STATEMENTS AND CLAIMS SUMMARY OF THE KAISER GYPSUM ASBESTOS PERSONAL INJURY TRUST FOR FISCAL YEAR ENDED DECEMBER 31, 2021 *[Filed 04/21/22, Doc 2854]*

BKM SOWAN HORAN
ACCOUNTANTS CONSULTANTS

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MAIN 214 545 3965
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April 18, 2022

To the Trustee of
Kaiser Gypsum Asbestos Personal Injury Trust,

We have audited the special-purpose financial statements (the "Financial Statements") of **Kaiser Gypsum Asbestos Personal Injury Trust** (the "Trust") for the period from August 12, 2021 (Date of Formation) to December 31, 2021, and issued our report on April 18, 2022. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated January 31, 2022. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices
Management is responsible for the selection and use of appropriate accounting policies. The Trust adopted the special-purpose accounting policies as discussed in Note 2 to the Financial Statements. We noted no transactions entered into by the Trust during the period for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the Financial Statements in the proper period.

Accounting estimates are an integral part of the Financial Statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the Financial Statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the Financial Statements were the fair value of investments in marketable securities and collectability of the payment note receivable. We evaluated the key factors and assumptions used to develop these estimates and concurred with managements' assessment.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The disclosure of the basis of accounting in Note 2 to the Financial Statements describes the differences from U.S. generally accepted accounting principles and the special purpose accounting methods used by the Trust.

The Financial Statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit
We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Audit Adjustments
Professional standards require us to accumulate all adjustments identified during our engagement, other than those that are clearly trivial, and communicate them to the appropriate level of management. We proposed no adjustments in connection with our engagement.

Disagreements with Management
For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the Financial Statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Other Audit Findings or Issues
We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management prior to retention as the Trust's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This information is intended solely for the use of the Trustee and management of the Trust and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

BKM Sowan Horan, LLP

BKM Sowan Horan, LLP

Cc: Mr. Sander Esserman
Mr. Clint Taylor

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KAISER GYPSUM ASBESTOS PERSONAL INJURY TRUST

Special-Purpose Financial Statements
and
Report of Independent Auditors

For the Period from August 12, 2021(Date of Formation)
to December 31, 2021

KAISER GYPSUM ASBESTOS PERSONAL INJURY TRUST

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REPORT OF INDEPENDENT AUDITORS

To the Trustee of
Kaiser Gypsum Asbestos Personal Injury Trust

Opinion

We have audited the accompanying special-purpose financial statements of the Kaiser Gypsum Asbestos Personal Injury Trust (the "Trust", organized in the State of Delaware), which comprise the special-purpose statement of net claimants' equity as of December 31, 2021, and the related special-purpose statements of changes in net claimants' equity and cash flows for the period from August 12, 2021 (Date of Formation) to December 31, 2021, and the related notes to the special-purpose financial statements (collectively, the "Financial Statements").

In our opinion, the Financial Statements referred to above present fairly, in all material respects, the net claimants' equity of the Trust as of December 31, 2021, and the changes in net claimants' equity for the period then ended in conformity with the special-purpose basis of accounting described in Note 2 to the Financial Statements.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Trust and to meet our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Emphasis of Matter – Basis of Accounting

As described in Note 2 of the Financial Statements, these Financial Statements are prepared on a special-purpose basis of accounting and are not intended to be a presentation in conformity with accounting principles generally accepted in the United States of America. The special-purpose basis of accounting has been used in order to present the amount of equity presently available to current and future claimants and the changes in net claimants' equity during the periods. Our opinion is not modified with respect to this matter.

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Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these Financial Statements in accordance with the special-purpose basis of accounting; this includes determining that the special-purpose basis of accounting is an acceptable basis for the preparation of the Financial Statements in these circumstances. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the Financial Statements that are free from material misstatement, whether due to error or fraud.

In preparing the Financial Statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Trust's ability to continue as a going concern within one year after the date that the Financial Statements are available to be issued.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the Financial Statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements, including omissions, are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the Financial Statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the Financial Statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the Financial Statements.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Trust's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the Financial Statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Trust's ability to continue as a going concern for a reasonable period of time.

Restriction on Use

This report is intended solely for the information and use of the management of the Trust, the Trustee, the beneficiaries of the Trust and the United States Bankruptcy Court for the District of Delaware ("Bankruptcy Court") and is not intended to be and should not be used by anyone other than these specified parties. This restriction is not intended to limit the distribution of this report, which, upon filing with the Bankruptcy Court, is a matter of public record.

BKM Sowan Horan, LLP

Dallas, Texas
April 17, 2022

KAISER GYPSUM ASBESTOS
PERSONAL INJURY TRUST

Special-Purpose Statement of Net Claimants' Equity
December 31, 2021

ASSETS		
Cash and cash equivalents	$	18,364,701
Investments, net		30,606,512
Payment note receivable (Notes 1 and 3)		1,000,000
Accrued investment income		60,073
Prepaid expenses		38,803
Total assets	$	50,070,089
LIABILITIES AND NET CLAIMANTS' EQUITY		
Accounts payable	$	76,911
Net claimants' equity	$	49,993,178

See accompanying notes to special-purpose financial statements.

KAISER GYPSUM ASBESTOS
PERSONAL INJURY TRUST

Special-Purpose Statement of Changes in Net Claimants' Equity
For the period from August 12, 2021 (Date of Formation) to December 31, 2021

Additions:		
Trust Funding (Note 1)	$	50,334,258
Investment income:		
Interest and dividends, net		313,227
Net realized gains on investments		21,565
Net unrealized gain on investments		207,769
Total additions		50,876,819
Deductions:		
Investment advisory fees		64,993
General and administrative expenses:		
Trustee		92,778
Insurance		24,693
Accounting		34,302
Other		7,500
Professional services:		
Trust general counsel		415,818
Trust litigation, insurance and other counsel		185,743
TAC attorney fees and expenses		45,287
Future claims representation and related counsel fees		12,527
Total deductions		883,641
Net increase in net claimants' equity		49,993,178
Net claimants' equity, beginning of period		-
Net claimants' equity, end of period	$	49,993,178

See accompanying notes to special-purpose financial statements.

KAISER GYPSUM ASBESTOS PERSONAL INJURY TRUST

Special-Purpose Statement of Cash Flows
For the period from August 12, 2021 (Date of Formation) to December 31, 2021

Cash inflows:		
Initial trust funding	$	49,334,258
Investment income receipts		273,476
Proceeds from sale of investments		29,941,325
Total cash inflows		79,549,059
Cash outflows:		
Purchases of investments		(60,338,823)
Payment of operating expenses		(845,535)
Total cash outflows		(61,184,358)
Net increase in cash and cash equivalents		18,364,701
Cash and cash equivalents, beginning of period		-
Cash and cash equivalents, end of period	$	18,364,701
Supplemental schedule of non-cash activities:		
Funding at inception through payment note receivable	$	1,000,000
Change in unrealized gains on investments	$	207,769

See accompanying notes to special-purpose financial statements.

KAISER GYPSUM ASBESTOS PERSONAL INJURY TRUST

Notes To Special-Purpose Financial Statements

Note 1 - Nature of Trust

Description

The Kaiser Gypsum Asbestos Personal Injury Trust (the "Trust") is a Qualified Settlement Fund ("QSF") within the meaning of Treasury Department regulations issued pursuant to Section 468B of the Internal Revenue Code (the "Code"). The Trust was established on August 12, 2021 (the "Effective Date") by execution of the Kaiser Gypsum Asbestos Personal Injury Trust Agreement (the "Trust Agreement") pursuant to the Third Amended Joint Plan of Reorganization (the "Plan") of Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc. (collectively the "Debtors").

The purpose of the Trust is to assume certain liability and responsibility for Asbestos Claims, and, among other things, to:

a) direct the processing, liquidation and payment of Asbestos Claims in accordance with the Plan, the Trust Agreement, the Kaiser Gypsum Asbestos Personal Injury Trust Distribution Procedures (the "TDP") and the Confirmation Order (collectively, the "Trust Documents");

b) preserve, hold, manage, and maximize the assets of the Trust for use in paying and satisfying Asbestos Claims, including Uninsured Asbestos Claims and the deductible portion of Insured Asbestos Claims; and

c) qualify at all times as a qualified settlement fund under the QSF Regulations.

The Trust is to use its assets and income to pay holders of Asbestos Claims in accordance with the Trust Documents in such a way that such holders of Asbestos Claims are treated fairly, equitably, and reasonably in light of the assets available to satisfy such claims, and to otherwise comply with the requirements of a trust set forth in section 524(g)(2)(B) of the Bankruptcy Code. Certain aspects of Trust administration shall be conducted in consultation with the Trust Advisory Committee (the "TAC") and the Future Claimants' Representative (the "FCR") as provided in the Trust Documents.

TDP

The TDP sets forth procedures that allow claimants with Insured Asbestos Claims to pursue their Insured Asbestos Claims against the Debtors (in name only) in the relevant tort system in order to obtain the benefit of insurance coverage under the Asbestos Insurance Policies, then, following resolution of such Insured Asbestos Claims by the applicable Asbestos Insurer(s), to seek payment from the Trust of the deductible portion of the Insured Asbestos Claim.

KAISER GYPSUM ASBESTOS PERSONAL INJURY TRUST

Notes To Special-Purpose Financial Statements

Note 1 - Nature of Trust – (Continued)

TDP – continued

Debtors ultimately have no liability for any judgments or settlements arising out of the tort system for Insured Asbestos Claims as such judgments or settlements will be covered by the applicable Asbestos Insurance Policies and the deductible portion of such Insured Asbestos Claims will be recoverable from the Trust in most instances. In the event that all applicable Asbestos Insurers reject or refuse to defend or pay an Insured Asbestos Claim, the TDP sets forth procedures that allow a claimant to pursue and obtain a judgment against the Debtors in the tort system, then to pursue payment of such judgment against the applicable Asbestos Insurer(s) and/or, to the extent such claim was denied as a result of Debtors' failure to satisfy the Asbestos Insurer Cooperation Obligations, to pursue payment of such judgment against the Debtors. In the event that such a claimant prevails in obtaining a judgment against either the applicable Asbestos Insurer(s) or the Debtors, then the claimant may seek payment from the Trust of the deductible portion of the Insured Asbestos Claim. Deductible amounts will generally range from $5,000 to $100,000, depending on the policy period in which a claim accrued. The TDP further sets forth procedures that allow claimants with claims that are Uninsured Asbestos Claims (i.e., claims that accrued outside the coverage period of all applicable Asbestos Insurance Policies) to submit their claims directly to the Trust. Uninsured Asbestos Claims were rarely asserted Pre-Petition, and it is not expected that a significant number of Uninsured Asbestos Claims will be asserted against the Trust. All compensable Asbestos Claims submitted to the Trust shall be processed and paid by the Trust on an impartial, first-in-first out basis, subject to the applicable Payment Percentage and other limitations and requirements imposed by the Trust Documents. It is the intention of the Trust to pay all claimants with compensable claims over time as equivalent a share as possible of the value of their Asbestos Claims; provided, however, that punitive or exemplary damages (i.e., damages other than compensatory damages) shall not be considered or paid by the Trust, notwithstanding that they may be available or awarded in the tort system.

Funding

On the Effective Date, the Debtors transferred to the Trust an aggregate of approximately $49,334,258 in cash and a secured non-recourse payment note in the amount of $1,000,000. The Debtors also transferred their rights to insurance proceeds from certain Asbestos Insurance Policies, including any settlement agreements made in connection with Asbestos Claims. Finally, the Debtors transferred certain rights related to the Phase 1 Claims (as defined by the Plan). The Phase 1 Claims were subsequently settled in February 2022, resulting in an additional $12,000,000 payment to the Trust.

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Note 1 - Nature of Trust – (Continued)

Payment Percentage

The initial Payment Percentage for all claims, or portions of claims, was not established during the reporting period. The Payment Percentage will be set by the Trustee with the consent of the TAC and the FCR after the Trustee receives an expert report estimating future claims, as well as future expenses and revenues. The Payment Percentage may be adjusted upwards or downwards from time to time by the Trust with the consent of the TAC and FCR to reflect the current estimate of the Trust's assets and liabilities. Because there is uncertainty in the prediction of both the total amount of the Trust's asbestos-related liabilities and the value of the Trust's assets over time, no guarantee can be made of any particular payment percentage that will be applicable to a payment on any Asbestos Claim.

Claim Resolution

Insured Asbestos Claims

Claimants holding unliquidated Insured Asbestos Claims must sue the Debtors (in name only) in the applicable tort system to obtain the benefit of insurance coverage under the applicable Asbestos Insurance Policies. After a claimant resolves his or her claim with the applicable Asbestos Insurer(s), the claimant may then seek payment of the deductible portion of the Insured Asbestos Claim from the Trust. If all Asbestos Insurers deny coverage for an Insured Asbestos Claim, the claimant must first pursue and obtain a judgment in the tort system against the Debtors (in name only). Once received, evidence of the judgment can be provided to the Trust. Upon receiving such evidence, the Trust, at its discretion, shall determine whether it will pursue payment of the judgment against the Asbestos Insurer on the claimant's behalf or take no action. In the event that any such action by the claimant and/or the Trust results in a finding that coverage was wrongfully denied, and after the claimant obtains payment from the applicable Asbestos Insurer(s), the claimant may then seek payment from the Trust of the deductible portion of the Insured Asbestos Claim. In the event that coverage was denied due to the Debtors' failure to satisfy the Asbestos Insurer Cooperation Obligations, then Debtors shall have an opportunity to cure such failure as provided in the Trust Documents. If the Debtors fail to cure, then the claimant may assert a claim directly against the Debtors for the denied Insured Asbestos Claim. If the claimant recovers from the Debtors on any such claim, then the claimant may seek payment from the Trust of the deductible portion of the Insured Asbestos Claim. For all compensable Insured Asbestos Claims, the Trust will determine the applicable deductible amount for the claim submitted and any amount owed to the claimant by the Trust as a result of payments, if any, to the Trust by Settling Asbestos Insurers. Deductible amounts range from $5,000 to $100,000, depending on the policy period in which a claim accrued. All payments made by the Trust in settlement of Insured Asbestos Claims shall be subject to the applicable Payment Percentage and other limitations and requirements under the Trust Documents.

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Note 1 - Nature of Trust – (Continued)

Claim Resolution – continued

Uninsured Asbestos Claims

Claimants holding unliquidated Uninsured Asbestos Claims may submit such claims directly to the Trust for consideration. Uninsured Asbestos Claims were rarely asserted Pre-Petition, and it is not expected that a significant number of Uninsured Asbestos Claims will be asserted against the Trust. Uninsured Asbestos Claims submitted to the Trust shall be considered and processed in accordance with the requirements set forth in the Trust Documents and developed by the Trust pursuant to the Trust Documents. The Trust shall determine the liquidated value of compensable Uninsured Asbestos Claims with reference to the Debtors' Pre-Petition tort system history and the valuation data included in such history. All payments made by the Trust in settlement of Uninsured Asbestos Claims shall be subject to the applicable Payment Percentage and other limitations and requirements under the Trust Documents.

Termination

The Trust Agreement provides that the Trust shall automatically dissolve on the date ninety (90) days after the first to occur of the following:

- The date on which the Trustee decides, with the consent of the TAC and the FCR, to dissolve the Trust because (A) they deem it unlikely that any new Asbestos Claims will be filed against the Trust, (B) all Asbestos Claims duly filed with the Trust have been liquidated and paid to the extent provided in the Trust Agreement and the TDP or have been disallowed by a final non-appealable order, to the extent possible based upon the funds available through the Plan, and (C) twelve (12) consecutive months have elapsed during which no new Asbestos Claim has been filed with the Trust;

- If the Trustee, with the consent of the TAC and the FCR, has procured and has in place irrevocable insurance policies and have established claims handling agreements and other necessary arrangements with suitable third parties adequate to discharge all expected remaining obligations and expenses of the Trust in a manner consistent with the Trust Agreement and the TDP, the date on which the Bankruptcy Court enters an order approving such insurance and other arrangements and such order becomes a final order; or

Note 1 - Nature of Trust – (Continued)

Termination – continued

- subject to the period provided herein, the Trust shall be perpetual to the fullest extent permitted by Delaware law, provided, however, to the extent that any property of the Trust is subject to a rule against perpetuities, then the Trust shall terminate as to such property on the date which twenty-one (21) years less ninety-one (91) days after the death of the last survivor of all of the descendants of the late Joseph P. Kennedy, Sr., father of the late President John F. Kennedy, living on the date hereof, or such other permissible last day of the applicable perpetuities period.

On the dissolution date or as soon as reasonably practicable, after the wind-up of the Trust's affairs by the Trustee and payment of all the Trust's liabilities have been provided for as required by applicable law, all remaining assets shall be applied to such charitable purposes, if practicable, which shall be related to the treatment of, research on, or the relief of individuals suffering from asbestos related lung disease or disorders. Following the dissolution and distribution of the assets of the Trust, the Trust shall terminate, and the Trustee and the Delaware Trustee shall execute and file a Certificate of Cancellation.

Note 2 - Summary of Significant Accounting Policies

Basis of accounting

The Trust's special-purpose financial statements ("Financial Statements") are prepared using special-purpose accounting methods that differ from accounting principles generally accepted in the United States of America ("GAAP"). The special-purpose accounting methods were adopted in order to communicate to the beneficiaries of the Trust the equity available to satisfy current and future claims. Since the accompanying Financial Statements and transactions are not based upon GAAP, accounting treatment by other parties for these same transactions may differ as to timing and amount. These special-purpose accounting methods and the differences from GAAP are summarized as follows:

- The Financial Statements are prepared using the accrual basis of accounting, except as otherwise described herein.

- The statement of net claimants' equity is not classified, resulting in no separation between current and noncurrent assets.

- Cash and cash equivalents are recorded at cost with accrued income shown separately.

Note 2 - Summary of Significant Accounting Policies – (Continued)

Basis of accounting – continued

- Investment securities are recorded at fair market value and considered available for sale. Net realized and unrealized gains (losses) on investment securities are recorded as a net addition (deduction) in the special-purpose statement of changes in net claimants' equity. Under GAAP, the unrealized holding gains (losses) on available for sale investments would be included as a component of net claimants' equity reported as accumulated other comprehensive income (loss).

- Amortization and accretion of bond premiums or discounts is included in interest and dividends, net.

- Insurance recoveries are not recorded until the funds are received from the insurance carriers. Under GAAP, asbestos insurance recoveries are recorded upon settlement and assurance of collectability.

- Future fixed liabilities under contractual obligations and other agreements entered into by the Trust are recorded as deductions in the same period that such contractual obligations or agreements are signed. Under GAAP, liabilities and contractual obligations are recorded over the period that is benefited by the underlying contract or agreement.

- The full amounts of claims are expensed in the period in which the confirmed claims are settled. A settled claim is an Asbestos Claim that has been allowed by the Trust and accepted by the claimant, with an approved release. Under GAAP, a liability would be recorded for an estimate of the amount to be paid for Asbestos Claims that have been incurred but not yet reported, and for those Asbestos Claims that have been submitted but not yet approved for payment by the Trust.

- Income tax expense (benefit) is estimated and recorded as incurred in the period in which certain income and expense items affect current federal income taxes. Income tax refunds are recorded when cash is received by the Trust. Under GAAP, the provision for income taxes is recorded based upon income (loss) reported for financial statement purposes, which includes federal income taxes both currently payable and changes in deferred taxes due to differences between financial reporting and tax bases of assets and liabilities. Additionally, GAAP requires all tax positions to be reviewed using a more likely than not threshold for financial statement recognition of tax assets, and a liability to be recorded for an uncertain tax position taken or expected to be taken beyond this threshold.

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Note 2 - Summary of Significant Accounting Policies – (Continued)

Use of estimates

The preparation of Financial Statements in conformity with the special-purpose accounting method requires Trust management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the Financial Statements and the reported amounts of additions and deductions from net claimants' equity during the reporting period. Significant items subject to such estimates and assumptions include the carrying value of investments and collectability of the payment note receivable. Actual results could differ from those estimates.

Cash and cash equivalents

The Trust considers all highly liquid debt instruments purchased with an original maturity value of three months or less to be cash equivalents. Cash equivalents consist of money market funds of approximately $20,219,000 at December 31, 2021.

Investments

Investments are stated at estimated fair value. Fair value is defined as the price that would be received to sell an asset or paid to transfer a liability between market participants in an orderly transaction on the measurement date. When quoted prices in active markets for identical assets are available, these quoted market prices are used to determine the fair value. In other cases, the Trust may hold investments for which there is no active market or the market is dislocated. When determining the fair value of such investments, the valuation is dependent on facts and circumstances requiring judgment by the Trustee and the Trust's investment advisors. It is acceptable to use inputs based on estimates or assumptions, or to make adjustments to observable inputs to determine fair value when markets are not active and relevant observable inputs are not available.

Changes in fair value are recorded as additions and deductions to net claimants' equity. Realized gains and losses on investments are calculated based on the specific identification method. The Trust records securities transactions on a trade-date basis. Dividend income is recorded on the ex-dividend date. Interest is recorded on an accrual basis. Bond amortization is recorded net of interest and dividends.

Accounts payable

Accounts payable consist of incurred but unpaid expenses associated with managing and operating the Trust.

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Note 2 - Summary of Significant Accounting Policies – (Continued)

Claim expense

A settled claim is an Asbestos Claim that has been accepted by the claimant, with an executed release submitted to the Trust, and approved by the Trustee. An unpaid claim is a claim that has been approved for payment by the Trustee, but cannot be paid due to annual cap limitations or has been authorized by the Trustee and not paid. For the period from August 12, 2021 (Date of Formation) to December 31, 2021, the Trust did not process or pay any Asbestos Claims.

Risk and uncertainties

The Trust's assets that are exposed to credit risk consist cash and cash equivalents, investments, and the payment note receivable (Note 3). Cash is maintained at financial institutions and, at times, balances may exceed federally insured limits. The Trust has not experienced any losses in such accounts, and it does not believe it is exposed to any significant credit risk.

The Trust invests in a professionally managed investment portfolio that contains cash equivalent money-market funds, publicly traded investments, corporate and government obligations, and alternative investments. The Trust's investments are exposed to various risks, such as interest rate, market and credit risk. Due to the level or risk associated with investments, it is at least reasonably possible that significant changes in risks in the near term may materially affect the amounts reported in the Financial Statements.

Net claimants' equity

The Trust, under the adopted special-purpose accounting convention, does not record the liability for future claims expected to be filed over the life of the Trust. The net claimants' equity is available for (i) the payments of allowed insured and uninsured asbestos claims and (ii) operational expenses of the Trust.

Income taxes

The Trust is classified as a QSF under the Code which is taxed at the highest rate applicable to trusts under Section 1(e) of the Code, which was 37%. As a result, the Trust is subject to federal income taxes based on modified gross income. In the opinion of management, the Trust is not subject to state income taxes, and therefore, the Financial Statements do not include any provision or liability for state income taxes. Funds received by the Trust from the Debtors, insurance settlements and distributions paid to settle insured and uninsured asbestos claims are not taxable or deductible by the Trust. The Trust reports tax-related interest and penalties as a component of income tax expense and operating expenses, respectively.

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Note 2 - Summary of Significant Accounting Policies – (Continued)

Income taxes – continued

The Trust records income tax expense (or benefit) associated with amounts payable (or receivable) under current federal income taxes and does not record a provision for (or benefit from) deferred taxes. Accordingly, there is no provision for deferred taxes associated with changes in cumulative unrealized gains and losses on investments or benefits from net operating or capital loss carryforwards. The income taxes associated with gains on investments will be recorded in the Trust's Financial Statements when the net gains are realized and the income taxes become currently payable.

Subsequent events

The Trust has evaluated events and transactions subsequent to the date of the Financial Statements for matters requiring recognition or disclosure in the Financial Statements. The accompanying Financial Statements consider events through April 17, 2022, the date on which the Financial Statements were available to be issued. See Note 1.

Note 3 - Payment Note

On the Effective Date, the Trust entered into a $1,000,000 secured non-recourse payment note agreement (the "Note") with the Debtors. The Note is secured by (a) a pledge of 100% of the shares of Kaiser Gypsum and (b) a pledge of 100% of the shares of Hanson Permanente Cement, Inc. The Note bears interest at 10% per annum. The Debtors may, at any time prepay all or any portion of this Note. The Debtors shall repay the entire principal and all accrued and unpaid interest on or before August 12, 2026.

Note 4 - Investments

The Trust measures its investments, at fair value, according to a hierarchy of valuation techniques. The following are the levels of the hierarchy and a brief description of the type of valuation information ("inputs") that qualifies an investment for each level:

> Level 1 – Quoted prices are available in active markets for identical investments as of the reporting date.

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Note 4 - Investments – (Continued)

Level 2 – Pricing inputs are other than quoted market prices included in Level I, however, are observable indirectly for the investment.

Level 3 – Inputs that are generally unobservable and typically reflect management's estimates of assumptions that market participants would use in pricing the asset or liability. The fair values are therefore determined using model-based techniques that include option pricing models, discounted cash flow models, and similar techniques.

The following section describes the valuation methodologies the Trust uses to measure its financial assets at fair value.

Investment securities: Valued at the closing price reported on the active market on which the individual securities are traded.

Bonds: Value using the documented trade price if trading in an active market. Otherwise, valued using a metrics system provided by the pricing vendors.

Alternate investments: Values using the Trust's proportionate share of each fund's net assets, as reported as of the date of the Financial Statements.

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Note 4 - Investments – (Continued)

Investments consist of the following at December 31, 2021.

	Cost	Gross Unrealized Gains	Gross Unrealized Losses	Fair Market Value
Investment securities[1]	$ 18,352,984	$ 377,278	$ (206,425)	$ 18,523,837
Municipal bonds	6,844,914	13,350	(50,613)	6,807,651
Alternative investments	4,000,000	125,496	(1,236)	4,124,260
Corporate fixed income	1,200,845	-	(50,081)	1,150,764
	$ 30,398,743	$ 516,124	$ (308,355)	$ 30,606,512

Investments measured at fair value on a recurring basis as of December 31, 2021 are summarized as follows:

	Level 1	Level 2	Level 3	Total
Investment securities[1]	$ 18,523,837	$ -	$ -	$ 18,523,837
Municipal bonds	-	6,807,651	-	6,807,651
Corporate fixed income	-	1,150,764	-	1,150,764
Alternative investments	-	-	4,124,260	4,124,260
	$ 18,523,837	$ 7,958,415	$ 4,124,260	$ 30,606,512

[1] Investment securities do not include cash and cash equivalents at December 31, 2021.

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Note 4 - Investments – (Continued)

The following table sets forth the summary of changes in fair value of the Trust's alternative investments (Level 3 assets) for the period from August 12, 2021 (Date of Formation) to December 31, 2021.

Balance at the beginning of the period	$	-
Purchases		4,000,000
Net change in fair value		124,260
Balance at the end of the period	$	4,124,260

Alternative investments generally employ long, short and multi-trading strategies in various markets. These alternative investments may have redemption and notice periods.

Maturities of the Trust's debt securities at December 31, 2021 are as follows:

	Fair Value	Cost	Unrealized Gains (Losses)
Due in one year or less	$ -	$ -	$ -
Due after one year through five years	174,515	200,845	(26,330)
Due after five years through ten years	178,161	179,982	(1,821)
Due after ten years through twenty years	3,867,097	3,903,873	(36,776)
Due after twenty years	3,738,642	3,761,059	(22,417)
	$ 7,958,415	$ 8,045,759	$ (87,344)

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Note 5 - TAC and FCR

The Trust Agreement sets forth the role and responsibility of the TAC and FCR. The members of the TAC serve in a fiduciary capacity representing all holders of present Asbestos Claims ("Current Claimants"). The Trustee is required to consult with or obtain the consent of the TAC on certain matters identified in the Trust Agreement and the TDP.

The FCR serves in a fiduciary capacity, representing the interests of the individuals who may file an Asbestos Claim in the future, but who at this time are unknown to the Trust ("Future Asbestos Claimants"). This role, in part, is to protect rights of the Future Asbestos Claimants. The Trustee is required to consult with or obtain the consent of FCR on certain matters identified in the Trust Agreement and the TDP.

Note 6 - Taxation

For the period from August 12, 2021 (Date of Formation) to December 31, 2021, the Trust had a modified taxable loss and paid no federal income tax. The Trust's net operating loss carryforwards will be limited to a reduction of 80% of modified taxable income without expiration. At December 31, 2021, the Trust had a net operating loss of approximately $570,000.

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By */s/ Sander L. Esserman*
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ATTORNEYS FOR THE KAISER GYPSUM ASBESTOS PERSONAL INJURY TRUST

CERTIFICATE OF SERVICE

The undersigned certifies that on the 22nd day of April 2022, the foregoing EXHIBIT A to the Annual Report, Financial Statements and Claims Summary of Kaiser Gypsum Asbestos Personal Injury Trust for Fiscal year Ended December 31, 2021 was served via ECF on all those parties receiving such notice through the Court's CM/ECF system.

/s/ Sander L. Esserman
SANDER L. ESSERMAN