**IN THE UNITED STATES BANKRUPTCY COURT**
**FOR THE DISTRICT OF DELAWARE**

| | | |
|---|---|---|
| In re: | ) | Chapter 11 |
| | ) | |
| OWENS CORNING, *et al.*, | ) | Case No. 00-3837 (KG) |
| | ) | |
| Reorganized Debtors. | ) | Jointly Administered |

**NOTICE OF FILING ANNUAL REPORT AND CLAIMS SUMMARY**

The Owens Corning/Fibreboard Asbestos Personal Injury Trust (the "Trust") hereby files its Audited Financial Statements for the fiscal year ending December 31, 2022 and an Annual Report for the period covered by the Audited Financial Statements. The Annual Report and Financial Statements are attached hereto as Exhibit 1.

Pursuant to the provisions of the Owens Corning/Fibreboard Asbestos Personal Injury Trust Agreement, the Trust is providing copies of the Annual Report and the Financial Statements to the Trust Advisory Committee, the Legal Representative, the United States Trustee and the Reorganized Debtors.

Date: April 28, 2023

**CAMPBELL & LEVINE, LLC**

*/s/ Kathleen Campbell Davis*
Marla Rosoff Eskin (No. 2989)
Kathleen Campbell Davis (No. 4229)
222 Delaware Avenue, Suite 1620
Wilmington, DE 19801
Tel: 302-426-1900/ Fax: 302-426-9947
meskin@camlev.com
kdavis@camlev.com

and

Douglas A. Campbell
Philip E. Milch
Shannon M. Clougherty
1700 Grant Building
Pittsburgh, PA 15219
Tel: 412-261-0310/ Tel: 412-261-5066

*Counsel to the Owens Corning/Fibreboard Asbestos Personal Injury Trust*

{C1209558.1 }


Published by AsbestosClaims.Law
asbestosclaims.law/library/14030/1

# EXHIBIT 1

**IN THE UNITED STATES BANKRUPTCY COURT**
**FOR THE DISTRICT OF DELAWARE**

| | | |
|---|---|---|
| In re: | ) | Chapter 11 |
| | ) | |
| OWENS CORNING, *et al.*, | ) | Case No. 00-3837 (KG) |
| | ) | Jointly Administered |
| Reorganized Debtors. | ) | |

**ANNUAL REPORT AND ACCOUNT OF THE**
**OWENS CORNING/FIBREBOARD ASBESTOS PERSONAL INJURY TRUST**
**FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022**

D. LeAnne Jackson, the Trustee of the Owens Corning/Fibreboard Asbestos Personal Injury Trust (the "Trust"),[1] created pursuant to the Sixth Amended Joint Plan of Reorganization for Owens Corning and Its Affiliated Debtors and Debtors-in-Possession, as modified (the "Plan") submit this Annual Report, Financial Statements, and Claims Summary for the fiscal year ended December 31, 2022.

## I. INTRODUCTION

The purpose of this Annual Report is to comply with the reporting requirements of the Owens Corning/Fibreboard Asbestos Personal Injury Trust Agreement (the "Trust Agreement") and to report to the Court on the actions taken by the Trustees on behalf of the Trust during the period from January 1, 2022 to December 31, 2022 (the "Reporting Period").

Section 2.2(c) of the Trust Agreement provides:

The Trustees shall timely account to the Bankruptcy Court as follows:

> (i) The Trustees shall cause to be prepared and filed with the Bankruptcy Court, as soon as available, and in any event within one hundred and twenty (120) days following the end of each fiscal year, an annual report (the "Annual Report") containing financial statements of the PI Trust (including, without limitation, a balance sheet of the PI Trust as of the end of such fiscal year and a statement of operations for such fiscal year) audited by a firm of

[1] Dean Trafalet was also a Trustee of the Trust during the Reporting Period. Mr. Trafalet resigned effective February 7, 2023.



*Owens Corning Asbestos Trust Annual Reports, 2022 annual report*
ACL Doc 14030 · Page 3 of 43
Published by AsbestosClaims.Law
asbestosclaims.law/library/14030/3

> independent certified public accountants selected by the Trustees and accompanied by an opinion of such firm 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 generally accepted accounting principles. The Trustees shall provide a copy of such report to the TAC,[2] the Future Claimants' Representative, and Reorganized OC when such reports are filed with the Bankruptcy Court.
>
> (ii) Simultaneously with the filing of the Annual Report, the Trustees shall cause to be prepared and filed with the Bankruptcy Court a report containing a summary regarding the number and type of claims disposed of during the period covered by the financial statements. The Trustees shall provide a copy of such report to the TAC, the Future Claimants' Representative, and Reorganized OC when such report is filed.
>
> (iii) All materials required to be filed with the Bankruptcy Court by this Section 2.2(c) shall be available for inspection by the public in accordance with procedures established by the Bankruptcy Court and shall be filed with the Office of the United States Trustee for the District of Delaware.

The Trust Agreement further provides for the inclusion of a description of the amounts paid to the Trustees, the TAC, and the Future Claimant's Representative in the accounts filed with the Bankruptcy Court. See Trust Agreement Sections 4.5(c), 5.6, and 6.5.

## II. BACKGROUND

On October 5, 2000, Owens Corning and certain of its subsidiaries, debtors and debtors-in-possession in the above-captioned cases (collectively, the "Debtors"), filed voluntary petitions for relief under Chapter 11 of Title 11 of the United States Code. On September 26, 2006, the Court entered an Order in these cases confirming the Plan. On September 28, 2006, the United States District Court for the District of Delaware affirmed the Bankruptcy Court's confirmation Order. On October 31, 2006 (the "Effective Date"), the Plan became effective and the Trustees began to operate the Trust.

[2] Trust Advisory Committee.


Published by AsbestosClaims.Law
asbestosclaims.law/library/14030/4

On or after the Effective Date, the OC and FB Sub-Accounts of the Trust were funded as provided for in Sections 3.3(f)(iii) and 3.4(d)(iii) of the Plan respectively. The purpose of the Trust is to assume the liabilities of Owens Corning and Fibreboard, their predecessors and successors in interest, for all Asbestos Personal Injury Claims, as defined in the Plan, and to use the assets and income of the Trust to pay both present and future asbestos claimants in accordance with the Trust Agreement and the Trust Distribution Procedures (the "TDP") in such a way that holders of Asbestos Personal Injury Claims are treated fairly, equitably, and reasonably in light of the limited assets available to satisfy such claims. See Trust Agreement, Section 1.2.

## III. TRUST ADMINISTRATION

### A. Trustees

D. LeAnne Jackson and Dean M. Trafelet served as Trustees of the Trust during the Reporting Period. Mr. Trafelet served as the Managing Trustee during the Reporting Period.

#### 1. Meetings

During the Reporting Period, the Trustees held formal meetings in accordance with the requirements of the Trust Agreement. These meetings were designated as "regular meetings" under the Trust's By-laws. The meetings were attended by representatives of the TAC and the FCR. In addition to these formal meetings, the Trustees held regularly scheduled weekly teleconferences, met individually with Trust advisors virtually, held virtual executive session and special purpose meetings, including virtual meetings to address Trust policies and claims processing matters and meetings with the Trust's investment advisor, investment managers and investment bankers, and devoted considerable time to Trust matters outside of scheduled meetings. Activities included exercising oversight over the investment and liquidation of Trust assets to pay claims and the Trust's processes to receive, process, and pay claims pursuant to the TDP,

communicating with claimants regarding the processing of claims, continual monitoring of the claims and investment processes and supervising various insurance-related matters.

2. Compensation

The amount of compensation and expenses paid or reimbursed to the Trustees during the Reporting Period is set forth in the Trust's financial statements attached hereto as Exhibit "A" (the "Audited Financial Statements"). The inclusion of this information in the Trust's Audited Financial Statements satisfies the requirements of Section 4.5 of the Trust Agreement. All distributions related to Trustee compensation and expense reimbursement were made in accordance with the Trust Agreement guidelines and applicable By-laws.

B. Trust Advisory Committee

Matthew P. Bergman, Russell W. Budd, John D. Cooney, James L. Ferraro, Steven Kazan, Bruce Mattock, John A. Baden IV, Armand J. Volta, Jr., and Perry Weitz served as Members of the Trust Advisory Committee (the "TAC Members") during the Reporting Period.[3] The amount of compensation and expenses paid or reimbursed to the TAC Members during the Reporting Period is set forth in the Trust's Audited Financial Statements. The inclusion of this information in the Trust's Audited Financial Statements satisfies the requirements of Section 5.6 of the Trust Agreement. All distributions related to TAC Member compensation and expense reimbursement were made in accordance with the Trust Agreement guidelines and applicable By-laws.

[3] Armand J. Volta resigned as a TAC Member effective February 1, 2023. Carol Hastings was appointed as Mr. Volta's successor.

C. Future Claimants' Representative

Michael J. Crames served as the Future Claimants' Representative (the "FCR") during the Reporting Period until his resignation on August 10, 2022. After that time, Andrew Kress served as the FCR. The amount of compensation or expenses paid or reimbursed to the FCR during the Reporting Period is set forth in the Trust's Audited Financial Statements. The inclusion of this information in the Trust's Audited Financial Statements satisfies the requirements of Section 6.5 of the Trust Agreement. All distributions related to FCR compensation and expense reimbursement were made in accordance with the Trust Agreement guidelines and applicable By-laws.

D. Claims Processing

The Delaware Claims Processing Facility, LLC continues to process the Owens Corning/Fibreboard Asbestos Personal Injury Trust claims. The terms of the Trust's ownership interest in the Delaware Claims Processing Facility are detailed in the Audited Financial Statements.[4] In addition, on March 1, 2007 the Trust engaged MFR Claims Processing, Inc, a Pennsylvania corporation to process Pre-Petition Liquidated Claims.

E. Investment Management:

Cambridge Associates, LLC of Boston, Massachusetts continues to serve as the Trust's investment advisor. Cambridge Associates represents other asbestos settlement trusts and has experience advising such trusts regarding investment management. Cambridge Associates advises the Trust on, among other things, asset allocation, monetizing assets to provide funds to meet liquidity needs for the payment of claims and Trust expenses, and the selection and oversight of individual investment managers for the investable portions of the Trust's portfolio.

[4] Audited Financial Statements at Note 3.

The Trust Agreement contains certain general investment guidelines that primarily address credit quality and asset concentration. Additionally, the Trust's investments are invested in fixed income, equity, and hedge fund investments in accordance with a targeted allocation policy recommended by Cambridge Associates after consideration of the currently forecasted timing of the liquidity needs of the Trust to pay claims and expenses, diversification, the Trust's status as a federal tax paying "qualified settlement fund," and such other factors as Cambridge Associates considers relevant to forming its recommendation. Due to fluctuations in market prices of the Trust's investments, particularly its equity investments, and the regular liquidation of investments to meet the cash needs of the Trust's two sub-accounts to pay claims and operating expenses, actual allocations may vary from target allocations at any single point in time.

The Trust engages multiple investment managers for each of the asset classes in which it invests to achieve additional diversification. The investment managers are selected by the Trust with the assistance, and upon the recommendation, of Cambridge Associates. As of December 31, 2022, the following investment managers were retained by the Trust:

Equity
Northern Trust Global Investments
Sanderson Asset Management Limited

Hedge Funds
Crescent Park Partners LP
Davidson Kempner Capital Management LLC
Fir Tree Partners
Luxor Capital Partners LP
Sculptor (formerly known as Och-Ziff Capital Management Group)
Pacific Alliance Investment Management Limited
Taconic Capital Advisors LP

Tax Exempt Municipal Bonds
Brown Brothers Harriman & Company
Eaton Vance Management
Goldman Sachs Asset Management
T. Rowe Price


Published by AsbestosClaims.Law
asbestosclaims.law/library/14030/8

For investment and tax purposes each of the Trust's two sub-accounts, the Owens Corning sub-account and the Fibreboard sub-account, are treated as separate "qualified settlement funds," although they have similar target investment allocations and employ the same mix of asset managers.

During the Reporting Period, the Trustees regularly met with virtually and by telephone Cambridge Associates to review investment performance, economic conditions and investment strategy. In addition, at the Trustees' meetings throughout the year, the Trustees and Cambridge Associates conducted annual reviews with the Trust's investment managers to review changes to the manager's organization, the manager's investment strategy and investment performance, and the manager's market outlook and expectations for the upcoming year.

The Bank of New York Mellon serves as custodian for the Trust's separately-managed investment accounts. The Trust's actively managed non-U.S. equity portfolios and its hedge fund investments are invested through commingled vehicles and limited partnership vehicles that have a separate custodian (selected by the investment manager) for each of the respective vehicles. The Trust utilizes custodian accounts, wire transfers and zero-balance banking accounts to reduce its exposure to systemic banking system risk.

F. Counsel

Campbell & Levine, LLC of Pittsburgh, Pennsylvania and Wilmington, Delaware continues to serve as general counsel to the Trust.

## IV. ANNUAL REPORT AND ACCOUNT

### A. Summary of Claims:

#### 1. Owens Corning Sub-Account Claims

##### a. Since Inception of Trust

As of December 31, 2022, the Trust had paid a total of 57,168 Owens Corning Pre- Petition Liquidated PI Trust Claims. Of the claims paid, there were 6,179 malignancy claims and 50,989 non-malignancy claims. After application of the payment percentage and applicable sequencing adjustment, the Trust had paid approximately $380.1 million to asbestos victims in settlement of their Owens Corning Pre-Petition Liquidated PI Trust Claims. The malignant to non-malignant ratio of the Owens Corning Pre-Petition Liquidated PI Trust Claims paid in number was 1/8 and the malignant to non-malignant ratio of the Owens Corning Pre-Petition Liquidated Trust Claims in dollars paid was 1.3/1.

As of December 31, 2022, the Trust had received 774,158 Owens Corning Unliquidated PI Trust Claims and paid a total of 408,759 claims. Of the claims paid, there were 93,494 malignancy claims and 315,265 non-malignancy claims. After application of the payment percentage and applicable sequencing adjustment, the Trust had paid approximately $3.0 billion to asbestos victims in settlement of their Owens Corning Unliquidated PI Trust Claims. The malignant to non-malignant ratio of the Owens Corning Unliquidated PI Trust Claims paid in number was 1/3.5 and the malignant to non-malignant ratio of the Owens Corning Unliquidated Trust Claims in dollars paid was 2.3/1.

b. During the Reporting Period

During the Reporting Period, the Trust paid a total of 66 Owens Corning Pre-Petition Liquidated PI Trust Claims. Of the claims paid, there were 5 malignancy claims and 61 non-malignancy claims. After application of the payment percentage and applicable sequencing adjustment, the Trust paid approximately $0.224 million to asbestos victims in settlement of their Owens Corning Pre-Petition Liquidated PI Trust Claims. The malignant to non-malignant ratio of the Owens Corning Pre-Petition Liquidated PI Trust Claims in number paid was 1/12 and the


Published by AsbestosClaims.Law
asbestosclaims.law/library/14030/10

malignant to non-malignant ratio of the Owens Corning Pre-Petition Liquidated Trust Claims in dollars paid was 1/1.08.

During the reporting period, the Trust received 22,618 Owens Corning Unliquidated PI Trust Claims. Out of the Trust's pending claims filed since inception, the Trust paid a total of 16,318 claims during the reporting period. Of the claims paid, there were 5,024 malignancy claims and 11,294 non-malignancy claims. After application of the payment percentage and applicable sequencing adjustment, the Trust paid approximately $51.0 million to asbestos victims in settlement of their Owens Corning Unliquidated PI Trust Claims. The malignant to non-malignant ratio of the Owens Corning Unliquidated PI Trust Claims in number paid was 1/2.25 and the malignant to non-malignant ratio of the Owens Corning Unliquidated Trust Claims in dollars paid was 3.29/1.

2. Fibreboard Sub-Account Claims

a. Since Inception of the Trust

As of December 31, 2022, the Trust had paid a total of 50,160 Fibreboard Pre-Petition Liquidated PI Trust Claims. Of the claims paid, there were 4,935 malignancy claims and 45,225 non-malignancy claims. After application of the payment percentage and applicable sequencing adjustment, the Trust had paid approximately $145.88 million to asbestos victims in settlement of their Fibreboard Pre-Petition Liquidated PI Trust Claims. The malignant to non-malignant ratio of the Fibreboard Pre-Petition Liquidated PI Trust Claims in number paid was 1/9.16 and the malignant to non-malignant ratio of the Fibreboard Pre-Petition Liquidated Trust Claims in dollars paid was 1.29/1.

As of December 31, 2022, the Trust had received 761,608 Fibreboard Unliquidated PI Trust Claims and paid a total of 398,080 claims. Of the claims paid, there were 91,590 malignancy

claims and 306,490 non-malignancy claims. After application of the payment percentage and applicable sequencing adjustment, the Trust had paid approximately $1.36 billion to asbestos victims in settlement of their Fibreboard Unliquidated PI Trust Claims. The malignant to non-malignant ratio of the Fibreboard Unliquidated PI Trust Claims in number paid was 1/3.5 and the malignant to non-malignant ratio of the Fibreboard Unliquidated Trust Claims in dollars paid was 2.88/1.

b. During the Reporting Period

During the Reporting Period, the Trust paid a total of 47 Fibreboard Pre-Petition Liquidated PI Trust Claims. Of the claims paid, there were 5 malignancy claims and 42 non-malignancy claims. After application of the payment percentage and applicable sequencing adjustment, the Trust paid approximately $0.063 million to asbestos victims in settlement of their Fibreboard Pre-Petition Liquidated PI Trust Claims. The malignant to non-malignant ratio of the Fibreboard Pre-Petition Liquidated PI Trust Claims in number paid was 1/8 and the malignant to non-malignant ratio of the Fibreboard Pre-Petition Liquidated Trust Claims in dollars paid was 1.17/1.

During the Reporting Period, the Trust received 22,572 Fibreboard Unliquidated PI Trust Claims. Out of the Trust's pending claims filed since inception, the Trust paid a total of 17,306 claims during the reporting period. Of the claims paid, there were 5,443 malignancy claims and 11,863 non-malignancy claims. After application of the payment percentage and applicable sequencing adjustment, the Trust paid approximately $30.95 million to asbestos victims in settlement of their Fibreboard Unliquidated PI Trust Claims. The malignant to non-malignant ratio of the Fibreboard Unliquidated PI Trust Claims in number paid was 1/2 and the malignant to non-malignant ratio of the Fibreboard Unliquidated Trust Claims in dollars paid was 4/1.

A summary of the claims processing procedures and policies may be found at the Trust website at www.ocfbasbestostrust.com.

B. Financial Information

The Trust's audited financial statements for the Reporting Period are attached hereto as Exhibit "A." The financial statements were audited by BDO USA, LLP.

Date: April 28, 2023

**CAMPBELL & LEVINE, LLC**

*/s/ Kathleen Campbell Davis*
Marla Rosoff Eskin (No. 2989)
Kathleen Campbell Davis (No. 4229)
222 Delaware Avenue, Suite 1620
Wilmington, DE 19801
Telephone: 302-426-1900
Facsimile: 302-426-9947
meskin@camlev.com
kdavis@camlev.com

-and-

Douglas A. Campbell
Philip E. Milch
Shannon M. Clougherty
310 Grant Street, Suite 1700
Pittsburgh, PA 15219
Telephone: 412-261-0310
Facsimile: 412-261-5066

*Counsel to Owens Corning/Fibreboard Asbestos Personal Injury Trust*

# EXHIBIT A

# Owens Corning/Fibreboard Asbestos Personal Injury Trust

Special-Purpose Financial Statements
with Supplementary Information
Years Ended December 31, 2022 and 2021

The report accompanying these financial statements was issued by BDO USA, LLP, a Delaware limited liability partnership and the U.S. member of BDO International Limited, a UK company limited by guarantee.

# Owens Corning/Fibreboard Asbestos Personal Injury Trust

Special-Purpose Financial Statements
with Supplementary Information
Years Ended December 31, 2022 and 2021


Published by AsbestosClaims.Law
**asbestosclaims.law/library/14030/16**

# Owens Corning/Fibreboard Asbestos Personal Injury Trust

## Contents

**Independent Auditor's Report** 1-3

**Special-Purpose Financial Statements**

Special-Purpose Statements of Assets, Liabilities and Net Assets 4

Special-Purpose Statements of Changes in Net Assets 5

Special-Purpose Statements of Cash Flows 6

Notes to the Special-Purpose Financial Statements 7-17

**Supplementary Information**

Independent Auditor's Report on Supplementary Information 18

Supplementary Schedules of Operating Expenses 19

Supplementary Schedule of Assets, Liabilities and Net Assets 20-21

Supplementary Schedule of Changes in Net Assets 22-23


Published by AsbestosClaims.Law
asbestosclaims.law/library/14030/17

BDO

Tel: 703-893-0600
Fax: 703-893-2766
www.bdo.com

8401 Greensboro Drive
Suite 800
McLean, VA 22102

## Independent Auditor's Report

Trustees
Owens Corning/Fibreboard Asbestos Personal Injury Trust
Wilmington, Delaware

### *Opinion*

We have audited the special-purpose financial statements of the Owens Corning/Fibreboard Asbestos Personal Injury Trust (the Trust) (a statutory Trust originally created under the laws of the State of Delaware), which comprise the special-purpose statements of assets, liabilities, and net assets as of December 31, 2022 and 2021, and the related special-purpose statements of changes in net assets and the special-purpose statements of cash flows for the years then ended, and the related notes to the special-purpose financial statements.

In our opinion, the accompanying special-purpose financial statements present fairly, in all material respects, the net assets of the Trust as of December 31, 2022 and 2021, and the changes in net assets and cash flows for the years then ended, in accordance with the basis of accounting described in Note 2 to the special-purpose financial statements.

### *Basis for Opinion*

We conducted our audits in accordance with auditing standards generally accepted in the United States of America (GAAS). Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Special-Purpose 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 audits. 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*

We draw attention to Note 2 of the special-purpose financial statements which describes the basis of accounting. As described in Note 2, the accompanying special-purpose financial statements were prepared in order to account for the amount of net assets presently available to fund current and future claims, which is a basis of accounting other than accounting principles generally accepted in the United States of America. As a result, the special-purpose financial statements may not be suitable for another purpose. Our opinion is not modified with respect to this matter.

BDO USA, LLP, a Delaware limited liability partnership, is the U.S. member of BDO International Limited, a UK company limited by guarantee, and forms part of the international BDO network of independent member firms.

BDO is the brand name for the BDO network and for each of the BDO Member Firms.



***Responsibilities of Management for the Special-Purpose Financial Statements***

Management is responsible for the preparation and fair presentation of the special-purpose financial statements in accordance with the basis of accounting as described in Note 2 to the special-purpose financial statements. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of special-purpose financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the special-purpose 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 special-purpose financial statements are issued or available to be issued.

***Auditor's Responsibilities for the Audit of the Special-Purpose Financial Statements***

Our objectives are to obtain reasonable assurance about whether the special-purpose 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 GAAS 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 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 special-purpose financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the special-purpose 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 special-purpose 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 special-purpose 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.



*Owens Corning Asbestos Trust Annual Reports, 2022 annual report*
ACL Doc 14030 · Page 19 of 43
Published by AsbestosClaims.Law
asbestosclaims.law/library/14030/19

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

***Other Matter - Restriction of Use***

Our report is intended solely for the information and use of the Trust and is not intended to be and should not be used by anyone other than the specified party.

***Other Information Included in the Annual Report***

Management is responsible for the other information included in the annual report. The other information comprises the annual report and account of the Trust for the year ended December 31, 2022 but does not include the special-purpose financial statements and our auditor's report thereon. Our opinion on the special-purpose financial statements does not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the special-purpose financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the special-purpose financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

BDO USA, LLP

McLean, Virginia
April 26, 2023



*Owens Corning Asbestos Trust Annual Reports, 2022 annual report*
ACL Doc 14030 · Page 20 of 43
Published by AsbestosClaims.Law
**asbestosclaims.law/library/14030/20**

# Special-Purpose Financial Statements

# Owens Corning/Fibreboard Asbestos Personal Injury Trust

## Special-Purpose Statements of Assets, Liabilities and Net Assets

| *December 31,* | **2022** | 2021 |
|---|---|---|
| **Assets** | | |
| Cash and cash equivalents | $ **31,459,342** | $ 58,778,142 |
| Investments, at fair value | | |
| Bonds | **540,011,923** | 605,490,807 |
| Equity securities | **123,554,605** | 147,858,837 |
| Alternative investments | **99,786,533** | 166,016,315 |
| Interest receivable | **6,785,529** | 6,409,647 |
| Other current assets | **256,896** | 18,146 |
| **Total assets** | **801,854,828** | 984,571,894 |
| **Liabilities** | | |
| Accrued expenses and accounts payable | **1,210,022** | 1,264,269 |
| Settled but unpaid claims | **2,644,355** | 8,653,354 |
| **Total liabilities** | **3,854,377** | 9,917,623 |
| **Net assets** | $ **798,000,451** | $ 974,654,271 |

*See accompanying notes to the special-purpose financial statements.*

# Owens Corning/Fibreboard Asbestos Personal Injury Trust

## Special-Purpose Statements of Changes in Net Assets

| *Years Ended December 31,* | 2022 | 2021 |
|---|---|---|
| **Additions** | | |
| Interest and dividend income, net | $ 17,995,208 | $ 17,740,850 |
| Net appreciation in fair value of investments | - | 25,672,684 |
| Net appreciation in fair value of alternative investments | - | 11,557,344 |
| Other income | 298,716 | 26,064 |
| **Total additions** | 18,293,924 | 54,996,942 |
| **Deductions** | | |
| Net depreciation in fair value of investments | 80,150,271 | - |
| Net depreciation in fair value of alternative investments | 26,167,598 | - |
| Personal injury claims expense | 76,207,295 | 92,478,282 |
| Operating expenses | 7,149,677 | 8,523,160 |
| Claims processing expenses | 5,272,903 | 4,029,613 |
| **Total deductions** | 194,947,744 | 105,031,055 |
| **Decrease in net assets** | (176,653,820) | (50,034,113) |
| **Net assets** | | |
| Beginning of the year | 974,654,271 | 1,024,688,384 |
| End of the year | $ 798,000,451 | $ 974,654,271 |

*See accompanying notes to the special-purpose financial statements.*

# Owens Corning/Fibreboard Asbestos Personal Injury Trust

## Special-Purpose Statements of Cash Flows

| *Years Ended December 31,* | 2022 | 2021 |
|---|---|---|
| **Cash flows from operating activities:** | | |
| Decrease in net assets | **$ (176,653,820)** | $ (50,034,113) |
| Adjustments to reconcile decrease in net assets to net cash used in operating activities: | | |
| Net depreciation (appreciation) in fair value of investment securities | **80,150,271** | (25,672,684) |
| Net depreciation (appreciation) in fair value of alternative investments | **26,167,598** | (11,557,344) |
| Amortization of premiums on bonds, net | **7,498,750** | 7,846,384 |
| Changes in operating assets and liabilities | | |
| Interest receivable | **(375,882)** | 567,463 |
| Other assets | **(238,750)** | (18,146) |
| Accrued expenses and accounts payable | **(54,247)** | 495,295 |
| Settled but unpaid claims | **(6,008,999)** | (9,059,374) |
| Total adjustments | **107,138,741** | (37,398,406) |
| **Net cash used in operating activities** | **(69,515,079)** | (87,432,519) |
| **Cash flows from investing activities:** | | |
| Sales and maturities of bonds | **454,597,290** | 258,815,560 |
| Purchases of bonds | **(449,637,949)** | (236,163,891) |
| Sales of equity securities | **10,757,909** | 77,896,566 |
| Purchases of equity securities | **(13,582,492)** | (13,872,803) |
| Liquidations / distributions of alternative investments | **40,062,184** | 15,267,703 |
| Purchases of alternative investments | **-** | (222,625) |
| **Net cash provided by investing activities** | **42,196,279** | 101,720,510 |
| **Net (decrease) increase in cash and cash equivalents** | **(27,318,800)** | 14,287,991 |
| Cash and cash equivalents at the beginning of the year | **58,778,142** | 44,490,151 |
| **Cash and cash equivalents at the end of the year** | **$ 31,459,342** | $ 58,778,142 |

*See accompanying notes to the special-purpose financial statements.*




Published by AsbestosClaims.Law
asbestosclaims.law/library/14030/24

## 1. Description of the Trust

On October 5, 2000, Owens Corning (OC), and its wholly-owned subsidiary, Fibreboard Corporation (FB), and related entities, including CDC Corporation, Engineered Yarns America, Inc., Falcon Foam Corporation, Integrex Exterior Systems, Inc., Integrex Ventures, LLC, Integrex Professional Services, LLC, Integrex Supply Chain Solutions, LLC, Integrex Testing Systems, LLC, HOMExperts LLC, Jefferson Holdings, Inc., Owens-Corning Fiberglas Technology Inc., Owens Corning HT, Inc., Owens-Corning Overseas Holdings, Inc., Owens Corning Remodeling Systems, LLC, and Soltech, Inc. (collectively, the Debtors), voluntarily filed petitions for reorganization under Chapter 11 of the United States Bankruptcy Code with the United States Bankruptcy Court for the District of Delaware (the Bankruptcy Court). On September 26, 2006, the Bankruptcy Court entered an order (the Confirmation Order) confirming the modified joint plan of reorganization (the Confirmed Plan) proposed and filed by the Debtors and supported by the Asbestos Personal Injury Committee, the Legal Representative representing the interests of future asbestos bodily injury claimants, and the Creditors Committee. On September 28, 2006, the United States District Court for the District of Delaware adopted, issued and affirmed the Confirmation Order. The Confirmation Order has become final and cannot be appealed. The Confirmed Plan became effective on October 31, 2006 (the Effective Date or the Effective Date of the Plan of Reorganization).

The essential elements of the Confirmed Plan include, among other things: the creation of the Owens Corning/Fibreboard Asbestos Personal Injury Trust (the Trust) to, through separate sub-accounts for claimants against OC and FB, assume all liabilities and obligations of the Debtors for all Asbestos Personal Injury Claims (as defined in the Plan) (Asbestos PI Trust Claims) and to use the Trust assets and income to pay the holders of all Trust claims in accordance with the Trust Agreement and the Trust Distribution Procedures (TDP) in such a way that such holders of Asbestos PI Trust Claims are treated fairly, equitably and reasonably in light of the limited assets available to satisfy such claims, and to otherwise comply in all respects with the requirements of a trust set forth in section 524(g)(2)(B) of the Bankruptcy Code. The Trust consists of two sub-accounts, the FB Sub-Account, which was established for the purposes of assuming any and all obligations, liabilities and responsibility for FB Asbestos Personal Injury Claims (as defined in the Confirmed Plan) and making payments in respect of such claims in accordance with the Confirmed Plan and the TDP, and the OC Sub-Account, which was established for the purposes of assuming any and all obligations, liabilities and responsibility for OC Asbestos Personal Injury Claims (as defined in the Confirmed Plan) and making payments in respect of such claims in accordance with the Confirmed Plan and the TDP.

The Trustees are responsible for supervising and administering the Trust and the use of the Trust's assets and income to pay the holders of all Asbestos PI Trust Claims in accordance with the terms of and the purposes set forth in the Trust Agreement and the TDP.

## 2. Summary of Significant Accounting Policies

### *Basis of presentation*

The Trust's special-purpose financial statements are prepared using special-purpose accounting methods adopted by the Trust, which 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 net assets and the related operating expenses of the Trust. Since the accompanying special-purpose financial statements are not based upon





Published by AsbestosClaims.Law
asbestosclaims.law/library/14030/25

GAAP, the accounting treatment by other parties for these same transactions may differ as to timing and amount. The special-purpose accounting methods include the following:

- Assets are generally recorded when they are received by the Trust and are available for the payment of asbestos claims.

- Future fixed liabilities under contractual obligations and other agreements entered into by the Trust are recorded as deductions from net assets 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 a 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 claims that have been incurred but not yet reported, and for those claims that have been submitted but not yet approved for payment by the Trust. There were settled but unpaid claims of $2,644,355 and $8,653,354 as of December 31, 2022 and 2021, respectively. Total claims paid during the years ended December 31, 2022 and 2021, aggregated $82,216,297 and $101,537,656, respectively.

- Payments for services to be received over an extended period in the future are expensed as paid because these amounts are no longer available for the payment of claims. Under GAAP, an asset would be recorded and amortized over the period in which the related benefits are received.

- Payments for property and equipment are expensed as incurred. Under GAAP, payments for property and equipment are capitalized and depreciated over the useful lives of the assets. To date, the Trust has incurred no expense related to purchases of property and equipment.

- Income tax expense is estimated and recorded as incurred in the period in which certain income and expense items affect current federal income taxes payable. Under GAAP, the provision for income taxes is recorded based upon income reported for special-purpose financial statement purposes, and federal income taxes both currently payable and changes in deferred taxes due to differences between financial reporting and tax bases of assets and liabilities. Under GAAP, deferred taxes include a provision for taxes attributable to changes in unrealized gains and losses on investments.

- Under GAAP, for financial statement disclosure purposes all investments would be categorized based on the priority of inputs used to measure fair value. Under GAAP, inputs used in measuring fair value are categorized into three levels. Level 1 includes inputs that are based upon quoted prices for identical instruments traded in active markets. Level 2 includes inputs that are based upon quoted prices for similar instruments in active markets, quoted prices for identical or similar investments in markets that are not active, or models based on valuation techniques for which all significant assumptions are observable in the market or can be corroborated by observable market data for substantially the full term of the investment. Level 3 includes 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



Published by AsbestosClaims.Law

asbestosclaims.law/library/14030/26

accompanying special-purpose financial statements do not categorize all investments into these levels.

***Use of estimates***

The preparation of special-purpose financial statements in conformity with the special-purpose accounting methods described above requires the Trust to make estimates and assumptions that affect the reported amounts of certain assets and liabilities and the disclosure of contingent assets and liabilities at the date of the special-purpose financial statements, as well as the reported amounts of additions and deductions to the net assets during the reporting period. Actual results could differ from those estimates and such differences could have a material effect on the net assets.

***Cash equivalents***

The Trust considers all highly liquid instruments with original maturities of three months or less to be cash equivalents.

***Investments***

Investment securities are stated at fair value. Fair value for investment securities, other than alternative investments, is based on quoted market prices for identical or similar instruments traded in active markets as of the date of the special-purpose financial statements. The fair value for alternative investments is based on the Trust's proportionate share of each funds' net assets, as reported as of the date of the special-purpose financial statements. The net appreciation or depreciation in fair value of investments in the accompanying special-purpose statements of changes in net assets consists of realized gains or losses on sales of investments and the changes in unrealized gains or losses on investments held. Investment income is recognized when earned. Interest and dividend income, net of investment expenses and amortization and accretion of bond premiums or discounts, are included in interest and dividend income, net in the accompanying special-purpose statements of changes in net assets. Gains and losses on sales of investment securities are determined using the average cost method.

***Accrued expenses and accounts payable***

Accrued expenses and accounts payable consist of accruals and outstanding invoices associated with managing and operating the Trust.

***Operating expenses***

Operating expenses of the Trust are paid from the net assets when invoices are received.

***Claims processing expenses***

Claims processing expenses are paid from net assets when invoices are received.



Published by AsbestosClaims.Law

asbestosclaims.law/library/14030/27

***Income taxes***

Each of the two sub-accounts that comprise the Trust is classified as a Qualified Settlement Fund pursuant to the Internal Revenue Code and Regulations thereunder (the Code). As a result, the Trust is subject to federal income taxes based on modified gross income, as defined by the Code. In the opinion of the Trustees and advisors, the Trust is not subject to state income taxes and, therefore, the special-purpose financial statements do not include any provision or liability for state income taxes.

Income tax expense is estimated and includes amounts payable or receivable under current federal income taxes.

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 (see Note 4). The income taxes associated with gains on investments will be recorded in the Trust's special-purpose financial statements when the net gains are realized (i.e. the securities are sold) and the taxes become currently payable. In addition, there is no provision for deferred taxes associated with any future benefit from the potential use of net operating loss carryforwards to reduce taxable income in future years.

The Trust is generally no longer subject to income tax examinations by the Internal Revenue Service for the years ended December 31, 2019 and prior.

***Risks and uncertainties***

Certain of the Trust's assets are exposed to credit risk. Cash and cash equivalents are maintained at financial institutions and, at times, balances may exceed federally insured limits. The Trust has never experienced any losses related to these balances. As of December 31, 2022, there are no amounts on deposit in excess of federally insured limits.

The Trust invests in a professionally managed portfolio that contains common shares of publicly traded companies, U.S. and Canadian government obligations, money market funds, and alternative investments. Such investments are exposed to various risks such as interest rate, market, and credit risks. Due to the level of risk associated with certain investment securities, it is at least reasonably possible that changes in the values of investment securities will occur in the near term and that such changes could materially affect the Trust's account balance and the amounts reported in the special-purpose statements of assets, liabilities and net assets.

## 3. Related Parties

The Trust is a member of the Delaware Claims Processing Facility (DCPF), a limited liability company, under an agreement with several other Qualified Settlement Funds. The purpose of the DCPF is to operate a claims processing facility. At inception, the Trust contributed $100 in capital to this entity.

During the years ended December 31, 2022 and 2021, the Trust incurred expenses related to the operations of this entity of $5,272,903 and $4,029,613, respectively. Expenses charged to the Trust related to the operation of this entity include direct labor expense, other direct expenses, and an allocation of common costs. There was no balance payable to DCPF at December 31, 2022 and 2021.



Published by AsbestosClaims.Law

asbestosclaims.law/library/14030/28

## 4. Investment Securities

Investments in bonds and equity securities consist of the following at December 31:

| | 2022 | | | |
|---|---|---|---|---|
| *Description* | Amortized Cost | Gross Unrealized Gains | Gross Unrealized Losses | Fair Value |
| Bonds | $ 549,424,405 | $ 2,158,943 | $ (11,571,425) | $ 540,011,923 |
| Equity securities | 52,736,007 | 70,818,598 | - | 123,554,605 |
| | $602,160,412 | $ 72,977,541 | $ (11,571,425) | $ 663,566,528 |

| | 2021 | | | |
|---|---|---|---|---|
| *Description* | Amortized Cost | Gross Unrealized Gains | Gross Unrealized Losses | Fair Value |
| Bonds | $ 577,625,000 | $ 27,865,807 | $ - | $ 605,490,807 |
| Equity securities | 51,732,872 | 96,125,965 | - | 147,858,837 |
| | $ 629,357,872 | $ 123,991,772 | $ - | $ 753,349,644 |

Net (depreciation) appreciation in the fair value of investment securities of ($80,150,271) and $25,672,684 for the years ended December 31, 2022 and 2021, respectively, consists of the net change in unrealized gains (losses) and net realized gains (losses) from investment sales.

***Net unrealized gains and losses***

The net unrealized gains (loss) from market (depreciation) appreciation of the following investments as of December 31 are as follows:

| | 2022 | 2021 |
|---|---|---|
| Bonds | $ (37,278,289) | $ (14,626,374) |
| Equity securities | (25,307,367) | 582,640 |
| | $ (62,585,656) | $ (14,043,734) |





Published by AsbestosClaims.Law
asbestosclaims.law/library/14030/29

***Realized gains and losses***

Net realized gains (losses) from investment sales consist of the following as of December 31:

| | 2022 | 2021 |
|---|---|---|
| Bonds | **$ (15,742,504** | $ 5,246,254 |
| Equity securities | **(1,822,111)** | 34,470,164 |
| | **$ (17,564,615)** | $ 39,716,418 |

***Summary of changes in alternative investments***

The table below sets forth a summary of changes in the fair value of the Trust's alternative investments for the years ended December 31:

| | 2022 | 2021 |
|---|---|---|
| **Balance at the beginning of the year** | **$ 166,016,315** | $ 169,504,049 |
| Purchases of alternative investments | **-** | 222,625 |
| Liquidations / distributions of alternative investments | **(40,062,184)** | (15,267,703) |
| Net change in fair value | **(26,167,598)** | 11,557,344 |
| **Balance at the end of the year** | **$ 99,786,533** | $ 166,016,315 |





Published by AsbestosClaims.Law
asbestosclaims.law/library/14030/30

***Alternative investments categories***

The major categories of the Trust's alternative investments, including general information related to each category, are as follows:

| (a) | Fair Value 2022 | Fair Value 2021 | Redemption Frequency (if Currently Eligible) | First/Next Redemption | Notice Period (days) | Gate |
|---|---|---|---|---|---|---|
| Long/short fund | $ **5,509,734** | $ 7,388,097 | Semi-annually | June 30, 2023 | 60 | 16.66% |
| | **5,509,734** | 7,388,097 | | | | |
| (b) | | | | | | |
| Multi-strategy fund | **7,105,536** | 8,493,276 | Annually | December 31, 2023 | 90 | None |
| Multi-strategy fund | **14,335,786** | 14,428,016 | Semi-annually | June 30, 2023 | 65 | None |
| Multi-strategy fund | **12,600,571** | 14,004,180 | Annually, anniversary date | June 1, 2023 | 60 | None |
| Multi-strategy fund | **6,213,348** | 10,222,748 | Quarterly | March 31, 2023 | 90 | 25% |
| Multi-strategy fund | **8,221,980** | 9,276,948 | Annually, anniversary date | June 30, 2023 | 45 | None |
| Multi-strategy fund | **6,162,018** | 6,410,066 | Quarterly | September 29, 2023 | 187 | None |
| | **54,639,239** | 62,835,234 | | | | |
| (c) | | | | | | |
| International equity | **-** | 48,870,288 | Liquidated | N/A | N/A | N/A |
| International equity | **39,637,560** | 46,922,696 | Monthly | January 31, 2022 | 10 | None |
| | **39,637,560** | 95,792,984 | | | | |
| | $ **99,786,533** | $ 166,016,315 | | | | |

(a) Alternative investments in this category employ long and short trading strategies in various markets. These long/short strategies include preservation and growth of capital over the long-term through investments in U.S. and international public equities of consumer-related companies, and equities and equity-related securities of companies in the Western European markets.

(b) Alternative investments within this category use a variety of strategies to diversify risks and reduce volatility. These strategies include seeking capital appreciation through event-driven investments that seek to exploit situations in which announced or anticipated events create inefficiencies in the pricing of securities, investing in securities of issuers experiencing financial distress, investing in event-driven and risk arbitrage securities, and purchasing long and selling




Published by AsbestosClaims.Law
asbestosclaims.law/library/14030/31

short in publicly-traded securities and loans. Other strategies of funds in this category include investing in U.S. and non-U.S companies' debt and equity securities, investing in event-driven situations involving litigation, regulatory or legislative changes, and global investments focused on investments with capital structure changes, spin-offs, recapitalizations, liquidations, and reorganization among other events.

(c) Alternative investments within this category invest primarily in equity securities. The objective of these funds is to exceed the return of the MSCI EAFE Index by investing primarily in equity securities of issuers from developed markets located in Europe, Australia and the Far East and to achieve long-term growth principally by investing in a portfolio of securities that possess fundamental investment value ordinarily located in any country other than the United States and Canada.

## 5. Income Taxes

During the years ended December 31, 2022 and 2021, the Trust paid no income taxes and recorded no income tax expense.

As of December 31, 2022, the Trust has net operating losses totaling approximately $74,500,000 which were generated prior to January 1, 2018 and are scheduled to expire at various dates through 2037. As of December 31, 2022, the Trust has net capital losses totaling approximately $17,600,000, which were generated after January 1, 2018 and may be used to reduce future taxable income.

As of December 31, 2022, the estimated deferred tax liability associated with unrealized gains on investments is approximately $22,000,000.

## 6. Contingent Liabilities

The Plan Documents (as defined in the Confirmed Plan) subject the Trust to certain reimbursement and indemnification obligations that may result in future claims against the Trust.

The probability of such claims cannot be reasonably determined. Accordingly, no associated liability has been recorded in the accompanying special-purpose financial statements. Such claims, if any, are not expected to be material. The Trust has obtained insurance for purposes of supporting its obligation to indemnify the Trustees.

## 7. Liability for Asbestos Claims

The settled but unpaid claims liability at December 31, 2022 and 2021, consists of personal injury claims that were settled and approved for payment by the Trust, but unpaid as of December 31, 2022 and 2021, respectively. These amounts have been included in settled but unpaid claims in the accompanying special-purpose statements of assets, liabilities and net assets and in personal injury claims expense in the accompanying special-purpose statements of changes in net assets for the years ended December 31, 2022 and 2021.

The ultimate number of Asbestos Personal Injury Trust Claims to be filed and the liability for all such claims are uncertain at this time. The net assets at December 31, 2022 and 2021 represents funding available for all Asbestos Personal Injury Trust Claims for which no fixed liability has yet been established. The net assets at December 31, 2022 and 2021 may or may not be sufficient to meet all future obligations of the Trust.



Published by AsbestosClaims.Law

asbestosclaims.law/library/14030/32

## 8. Trust Liability Insurance

The Trust purchased liability insurance requiring premiums of $22,745 and $784 during the years ended December 31, 2022 and 2021, respectively. The current policy term is from November 20, 2022 through November 20, 2024. The Trust's accounting policy is to expense in the current period any amounts that will not be available to pay future Asbestos PI Trust Claims or expenses of the Trust. Accordingly, amounts of $22,745 and $784 were recorded as deductions in net assets during the years ended December 31, 2022 and 2021, respectively.

## 9. Trustees, Trust Advisory Committee, Future Claimants' Representative, and Delaware Claims Processing Facility Board of Managers

Fees and expenses of the Trustees, Trust Advisory Committee, Future Claimants' Representative and Delaware Claims Processing Facility Board of Managers for the years ended December 31 were as follows:

| | 2022 | | | |
|---|---|---|---|---|
| | **Fees** | **Retainer** | **Expenses** | **Total** |
| Trustees | **$ 533,930** | **$ 203,656** | **$ (14,359)** | **$ 723,227** |
| Future Claimants' Representative | **8,134** | **-** | **-** | **8,134** |
| Future Claimants' Representative Counsel | **120,680** | **-** | **-** | **120,680** |
| Future Claimants' Representative Counsel Retained Professionals | **44,631** | **-** | **-** | **44,631** |
| Trust Advisory Committee | **2,585** | **-** | **1,460** | **4,045** |
| Trust Advisory Committee Counsel | **159,605** | **-** | **-** | **159,605** |
| | **$ 869,565** | **$ 203,656** | **$ (12,899)** | **$ 1,060,322** |

| | 2021 | | | |
|---|---|---|---|---|
| | Fees | Retainer | Expenses | Total |
| Trustees | $ 745,294 | $ 172,745 | $ 26,064 | $ 944,103 |
| Future Claimants' Representative | 24,359 | - | - | 24,359 |
| Future Claimants' Representative Counsel | 143,432 | - | - | 143,432 |
| Future Claimants' Representative Counsel Retained Professionals | 6,137 | - | - | 6,137 |
| Trust Advisory Committee | 1,205 | - | - | 1,205 |
| Trust Advisory Committee Counsel | 76,520 | - | - | 76,520 |
| | $ 996,947 | $ 172,745 | $ 26,064 | $ 1,195,756 |





Published by AsbestosClaims.Law
asbestosclaims.law/library/14030/33

The above amounts are included in operating expenses in the special-purpose statements of changes in net assets for the years ended December 31, 2022 and 2021.

## 10. Subsequent Events

The Trust has evaluated its December 31, 2022 special-purpose financial statements for subsequent events through April 26, 2023, the date the special-purpose financial statements were available to be issued. The Trust is not aware of any subsequent events which would require recognition or disclosure in the special-purpose financial statements.





Published by AsbestosClaims.Law
asbestosclaims.law/library/14030/34

# Supplementary Information

BDO

Tel: 703-893-0600
Fax: 703-893-2766
www.bdo.com

8401 Greensboro Drive
Suite 800
McLean, VA 22102

## Independent Auditor's Report on Supplementary Information

Trustees
Owens Corning/Fibreboard Asbestos Personal Injury Trust
Wilmington, Delaware

Our audits of the special-purpose financial statements included in the preceding section of this report were conducted for the purpose of forming an opinion on those special-purpose statements as a whole. The supplementary information presented in the following section of this report is presented for purposes of additional analysis and is not a required part of the special-purpose financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the special-purpose financial statements. The information has been subjected to the auditing procedures applied in the audits of the special-purpose financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the special-purpose financial statements or to the special-purpose financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the special-purpose financial statements as a whole.

BDO USA, LLP

McLean, Virginia
April 26, 2023

BDO USA, LLP, a Delaware limited liability partnership, is the U.S. member of BDO International Limited, a UK company limited by guarantee, and forms part of the international BDO network of independent member firms.

BDO is the brand name for the BDO network and for each of the BDO Member Firms.

# Owens Corning/Fibreboard Asbestos Personal Injury Trust

## Supplementary Schedules of Operating Expenses

| *Years Ended December 31,* | 2022 | 2021 |
|---|---|---|
| Claims consulting fees | $ 2,296,517 | $ 2,126,047 |
| Investment advisory and management fees | 1,706,023 | 2,447,252 |
| Legal fees | 1,574,856 | 1,640,870 |
| Trustee fees and expenses | 723,227 | 944,103 |
| Miscellaneous operating expenses | 310,472 | 753,735 |
| Accounting fees | 178,742 | 254,012 |
| Trust Advisory Committee Counsel fees and expenses | 159,605 | 76,520 |
| Future Claimants' Representative Counsel | 120,680 | 143,432 |
| Future Claimants' Representative Counsel Retained Professional fees and expenses | 44,631 | 6,137 |
| Trust liability insurance | 22,745 | 784 |
| Future Claimants' Representatives fees and expenses | 8,134 | 24,359 |
| Trust Advisory Committee fees and expenses | 4,045 | 1,205 |
| Administrative fees | - | 104,704 |
| **Total operating expenses** | $ 7,149,677 | $ 8,523,160 |

*See independent auditor's report on supplementary information.*




Published by AsbestosClaims.Law
asbestosclaims.law/library/14030/37

# Owens Corning/Fibreboard Asbestos Personal Injury Trust

## Supplementary Schedule of Assets, Liabilities and Net Assets

| *December 31, 2022* | Owens Corning Asbestos Personal Injury Trust | Fibreboard Asbestos Personal Injury Trust | Total |
|---|---|---|---|
| **Assets** | | | |
| Cash and cash equivalents | $ 18,224,857 | $ 13,234,485 | $ 31,459,342 |
| Investments, at fair value | | | |
| Bonds | 351,264,241 | 188,747,682 | 540,011,923 |
| Equity securities | 84,297,389 | 39,257,216 | 123,554,605 |
| Alternative investments | 63,783,031 | 36,003,502 | 99,786,533 |
| Interest receivable | 4,447,124 | 2,338,405 | 6,785,529 |
| Prepaid expenses and other current assets | 128,448 | 128,448 | 256,896 |
| **Total assets** | 522,145,090 | 279,709,738 | 801,854,828 |
| **Liabilities** | | | |
| Accrued expenses and accounts payable | 981,607 | 228,415 | 1,210,022 |
| Settled but unpaid claims | 1,952,695 | 691,660 | 2,644,355 |
| **Total liabilities** | 2,934,302 | 920,075 | 3,854,377 |
| **Net assets** | $ 519,210,788 | $ 278,789,663 | $ 798,000,451 |

*See independent auditor's report on supplementary information.*




Published by AsbestosClaims.Law
asbestosclaims.law/library/14030/38

# Owens Corning/Fibreboard Asbestos Personal Injury Trust

## Supplementary Schedule of Assets, Liabilities and Net Assets

| *December 31, 2021* | Owens Corning Asbestos Personal Injury Trust | Fibreboard Asbestos Personal Injury Trust | Total |
|---|---|---|---|
| **Assets** | | | |
| Cash and cash equivalents | $ 30,607,447 | $ 28,170,695 | $ 58,778,142 |
| Investments, at fair value | | | |
| Bonds | 395,744,586 | 209,746,221 | 605,490,807 |
| Equity securities | 100,706,297 | 47,152,540 | 147,858,837 |
| Alternative investments | 105,999,727 | 60,016,588 | 166,016,315 |
| Interest receivable | 4,243,265 | 2,166,382 | 6,409,647 |
| Prepaid expenses and other current assets | 11,844 | 6,302 | 18,146 |
| **Total assets** | 637,313,166 | 347,258,728 | 984,571,894 |
| **Liabilities** | | | |
| Accrued expenses and accounts payable | 712,237 | 552,032 | 1,264,269 |
| Settled but unpaid claims | 3,576,748 | 5,076,606 | 8,653,354 |
| **Total liabilities** | 4,288,985 | 5,628,638 | 9,917,623 |
| **Net assets** | $ 633,024,181 | $ 341,630,090 | $ 974,654,271 |

*See independent auditor's report on supplementary information.*




Published by AsbestosClaims.Law
asbestosclaims.law/library/14030/39

# Owens Corning/Fibreboard Asbestos Personal Injury Trust

## Supplementary Schedule of Changes in Assets, Liabilities and Net Assets

| *Year Ended December 31, 2022* | Owens Corning Asbestos Personal Injury Trust | Fibreboard Asbestos Personal Injury Trust | Total |
|---|---|---|---|
| **Additions** | | | |
| Interest and dividend income, net | $ 11,828,679 | $ 6,166,529 | $ 17,995,208 |
| Other income | 149,757 | 148,959 | 298,716 |
| **Total additions** | 11,978,436 | 6,315,488 | 18,293,924 |
| **Deductions** | | | |
| Net depreciation of fair value of investments | 52,688,475 | 27,461,796 | 80,150,271 |
| Net depreciation of fair value of alternative investments | 17,185,086 | 8,982,512 | 26,167,598 |
| Personal injury claim expenses | 49,600,362 | 26,606,933 | 76,207,295 |
| Operating expenses | 3,681,454 | 3,468,223 | 7,149,677 |
| Claims processing expeses | 2,636,452 | 2,636,451 | 5,272,903 |
| **Total deductions** | 125,791,829 | 69,155,915 | 194,947,744 |
| Decrease in net assets | (113,813,393) | (62,840,427) | (176,653,820) |
| **Net assets** | | | |
| Beginning of the year | 633,024,181 | 341,630,090 | 974,654,271 |
| **End of the year** | $ 519,210,788 | $ 278,789,663 | $ 798,000,451 |

*See independent auditor's report on supplementary information.*




Published by AsbestosClaims.Law
asbestosclaims.law/library/14030/40

# Owens Corning/Fibreboard Asbestos Personal Injury Trust

## Supplementary Schedule of Changes in Assets, Liabilities and Net Assets

| *Year Ended December 31, 2021* | Owens Corning Asbestos Personal Injury Trust | Fibreboard Asbestos Personal Injury Trust | Total |
|---|---|---|---|
| **Additions** | | | |
| Interest and dividend income, net | $ 11,660,344 | $ 6,080,506 | $ 17,740,850 |
| Net appreciation of fair value of investments | 17,312,085 | 8,360,599 | 25,672,684 |
| Net appreciation of fair value of alternative investments | 7,160,774 | 4,396,570 | 11,557,344 |
| Other income | 13,437 | 12,627 | 26,064 |
| **Total additions** | 36,146,640 | 18,850,302 | 54,996,942 |
| **Deductions** | | | |
| Personal injury claim expenses | 56,910,134 | 35,568,148 | 92,478,282 |
| Operating expenses | 4,477,765 | 4,045,395 | 8,523,160 |
| Claims processing expeses | 2,014,806 | 2,014,807 | 4,029,613 |
| **Total deductions** | 63,402,705 | 41,628,350 | 105,031,055 |
| Decrease in net assets | (27,256,065) | (22,778,048) | (50,034,113) |
| **Net assets** | | | |
| Beginning of the year | 660,280,246 | 364,408,138 | 1,024,688,384 |
| **End of the year** | $ 633,024,181 | $ 341,630,090 | $ 974,654,271 |

*See independent auditor's report on supplementary information.*




Published by AsbestosClaims.Law
asbestosclaims.law/library/14030/41

**IN THE UNITED STATES BANKRUPTCY COURT**
**FOR THE DISTRICT OF DELAWARE**

| | | |
|---|---|---|
| In re: | ) | Chapter 11 |
| | ) | |
| OWENS CORNING, *et al.*, | ) | Case No. 00-3837 (KG) |
| | ) | |
| Debtors. | ) | Jointly Administered |

**CERTIFICATE OF SERVICE**

I, Kathleen Campbell Davis, of Campbell & Levine, LLC, hereby certify that on April 28, 2023, I caused a copy of the *Notice of Filing of Annual Report and Claims Summary* to be served upon the parties below by electronic mail, unless otherwise indicated:

Matthew Bergman, Esquire
Bergman Draper Oslund Udo
821 2nd Avenue, Suite 2100
Seattle, WA 98104
Email: matt@bergmanlegal.com

Russell Budd, Esquire
Baron & Budd, PC
3102 Oak Lawn Avenue, Suite 1100
Dallas, TX 75219
Email: rbudd@baronbudd.com

Robert J. Cooney, Jr., Esquire
Cooney & Conway
120 N. LaSalle Street, 30th Floor
Chicago, IL 60602
Email: bcooney@cooneyconway.com

James L. Ferraro, Esquire
The Ferraro Law Firm
600 Brickell Avenue, 38th Floor
Miami, FL 33131
Email: jlf@ferrarolaw.com

Steven Kazan, Esquire
Kazan, McClain Satterley & Greenwood
55 Harrison Street, Suite 400
Oakland, CA 94607
Email: skazan@kazanlaw.com

Bruce Mattock, Esquire
Goldberg, Persky and White, P.C.
11 Stanwix Street, Suite 1800
Pittsburgh, PA 15222
Email: bmattock@gpwlaw.com

Joseph F. Rice, Esquire
Motley Rice LLC
28 Bridgeside Boulevard
PO Box 1792
Mt. Pleasant, SC 29464
Email: jrice@motleyrice.com

Armand J. Volta, Jr., Esquire
Law Offices of Peter G. Angelos
One Charles Center
100 N. Charles Street
Baltimore, MD 21201
Email: avolta@lawpga.com

Perry Weitz, Esquire
Weitz & Luxenberg, PC
700 Broadway
New York, NY 10003-9536
Email: pweitz@weitzlux.com

Mark Minuti, Esquire
Saul Ewing Arnstein & Lehr LLP
1201 North Market Street
Suite 2300
Wilmington, DE 19801
Email: mark.minuti@saul.com

Ann McMillan, Esquire
Caplin & Drysdale, Chartered

Amy Brockman
Ankura Consulting Group LLC

{C1159061.1 }

One Thomas Circle, N.W.
Suite 1100
Washington, D.C. 20005-5802
Email: amcmillan@capdale.com

1220 19th Street, NW, Suite 700
Washington, D.C. 20036
Email: amy.brockman@ankura.com

Andrew Kress, Esquire
41 Summit Road
Port Washington, NY 11050
Email: andrewka22@outlook.com

D. Leanne Jackson, Esquire
1590 Dinsmore Road
Milton, GA 30004
Email: luluelegante@yahoo.com

Ed Harron, Esquire
James Patton, Esquire
Erin Edwards, Esquire
Young Conaway Stargatt & Taylor, LLP
Rodney Square
100 North King Street
Wilmington, DE 19801
Email: eharron@ycst.com
jpatton@ycst.com
eedwards@ycst.com

*Via Regular Mail*
Jim Gibb
Owens Corning
One Owens Corning Parkway
Toledo, Ohio 43659

Richard Schepacarter, Esquire
Office of the United States Trustee
844 King St., 2nd Floor
Wilmington, DE 19801
Email: richard.schepacarter@usdoj.gov

*Via Regular Mail*
Sidley Austin LLP
One South Dearborn Street
Chicago, IL 60603

CAMPBELL & LEVINE, LLC

Dated: April 28, 2023

*/s/ Kathleen Campbell Davis*
Kathleen Campbell Davis (No. 4229)
222 Delaware Avenue, Suite 1620
Wilmington, DE 19801
Tel: 302-426-1900
Email: kdavis@camlev.com
*Counsel for the Trust*

{C1159061.1 }