

PROTOCOL FOR ADDING A SITE TO THE TRUST’S LIST OF QUALIFIED APG WORKSITES

APG Exposure, as defined by Section 5.7(b)(3) of the TDP, requires that the claimant demonstrate meaningful and credible evidence of exposure, prior to December 31, 1982, to asbestos or asbestos-containing products that were manufactured, installed, specified for installation, fabricated, sold, supplied, produced, designed, distributed, released or in any way at any time marketed or disposed of by APG, an APG Subsidiary, or a predecessor of APG or a predecessor of an APG Subsidiary or by services, actions or operations of the foregoing, or caused by, or allegedly caused by any such product for which any of the foregoing could be liable under any applicable law, in any case, whether or not arising or allegedly arising, directly or indirectly, from acts or omissions of any of the foregoing, or their present or former officers, directors or employees. To assist claimants in satisfying this requirement, a list of qualified APG worksites has been established and maintained in the sole discretion of the Trustee. The approved list of qualified APG worksites is not a right, and the Trustee has absolute discretion to use or not use an approved list. The approved list of qualified worksites does not eliminate or change the requirements of the TDP, including the Trust’s right to require the submission of additional or other evidence of APG Exposure when it deems necessary as set forth in Section 5.7(b)(3).

The list contains the site names and locations, as well as the earliest date that APG asbestos-containing products are known to have existed at each site. Should anyone believe that there are additional sites that should be added to the Trust’s list of APG worksites, they may submit information to the Trust and request that the site be added to the list. All evidence submitted to the Trust must include information regarding the specific APG asbestos-containing product(s) and applicable dates. A letter summarizing the evidence must also be submitted. The Trustee will work with MFR Claims Processing, Inc. to review requests for additions to the site list and will decide, on a case-by-case basis, whether to add the location. Addition of a site to the approved list of qualified APG worksites is not a right, and the Trustee has absolute discretion to add or not add a site to the approved list.

There are numerous types of evidence that may be submitted in support of adding a site to the Trust’s list of qualified APG worksites, but there is no identifiable quantum of evidence to determine whether a location should be added to the list of APG worksites. Each piece of evidence submitted to the Trust will be reviewed by the Trustee and judged on the particular set of facts and circumstances, and will be given the appropriate weight. Because the reliability will vary with each type of evidence, in certain situations one type of evidence may be sufficient to add a site to the Trust’s list of APG worksites, while in other situations more than one type of evidence will be required. By general rule, and depending upon the substance of the submission, the Trust will require the following types of evidence, at a minimum, in order to add a site to the Trust’s list of qualified APG worksites:

Type of Evidence	General Requirement
• Authenticated Company Documents	Individual submissions may be sufficient.
• Invoices	Individual submissions may be sufficient.
• Defendant Interrogatory Responses	Individual submissions may be sufficient.
• Responses to Requests for Admission from an APG Entity	Individual submissions may be sufficient.
• Deposition Testimony	Multiple submissions with a greater weight placed on individuals with an extensive knowledge of site development, maintenance and renovation (e.g., site foreman, manager or requisition agent).

• Plaintiff Interrogatory responses	Can be used in conjunction with other types of evidence to bolster the overall submission, but alone will not be sufficient.
• Responses to Requests for Admission from Claimant	Can be used in conjunction with other types of evidence to bolster the overall submission, but alone will not be sufficient.
• Pattern of historical settlements	A site may be added to the Trust's list of qualified APG worksites if a pattern of historical tort settlements occurred at that site.
• Other Meaningful and Credible Evidence	The Trust will consider other types of credible evidence, including among other things, authenticated company documents, such as, construction records, company minutes, company newsletters, public documents, etc.

6612533.4