

**ALERT 25-0002:
PROCESSING AND
PAYMENT OF MSA I DPP
POINT-BASED AWARDS
AND MSA I EIF
APPLICATIONS**

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COMBAT ARMS EARPLUGS SETTLEMENT PROGRAM

ALERT FROM THE SETTLEMENT ADMINISTRATOR			
SUBJECT	PROCESSING AND PAYMENT OF MSA I DPP POINT-BASED AWARDS AND MSA I EIF APPLICATIONS		
DATE	2/19/25	ALERT NUMBER	25-0002

I. INTRODUCTION

In 2025, the Settlement Program will process and make the first payments on Deferred Payment Program (DPP) Point-Based Awards and MSA I EIF Awards. The MSA I Allocation Methodology and the EIF Allocation Methodology adopted by the Allocation Special Master and announced in October and November 2023 explained how DPP and EIF Awards will be evaluated and paid. Understandably, some questions are coming in about that process, the schedule, and possible payment amounts. We developed and issue this Alert to answer those questions for Participating Claimants and their Primary Counsel and help them understand the work we are doing.

We have completed the reviews, Reconsiderations, and Notices on all but a handful of the 233,083 Participating Claimants who elected the Expedited Payment Program (the EPP). The Settlement Program has paid almost \$2 billion in EPP Awards and will have the funds to pay the last EPP claimants in FIFO Group VI after the 4/15/25 deposit by the Defendants into the Settlement Fund. Some EPP Awards in the earlier FIFO Groups remain unpaid for reasons beyond our control, such as a claimant bankruptcy, lack of answer on Medicaid use, or In-Ledgering claimants who have not accepted their Notice and provided a payment method election. All those can and will be paid as soon as those impediments are cleared up by the claimants and their Primary Counsel.

II. DPP POINT-BASED AWARDS

1. The \$1,000 DPP Registration Payment.

There are 18,239 claimants who elected the DPP. We already have processed the \$1,000 (\$910 after the Common Benefit Fund assessment) DPP Registration Payment and issued grant Notices to the 17,972 DPP claimants who qualified for that payment under the terms of the Allocation Methodology, while the 267 claimants deemed not eligible were sent denial Notices. Those 267 denied claimants will not qualify for or be reviewed for DPP Point-Based Awards.

We have paid all but 1,569 of those granted Registration Payments. The ones not yet paid are delayed by the same impediments that keep us from paying EPP Awards.

2. Doing Reviews and Sending Notices on DPP Points Outcomes.

We and the Allocation Special Master have been planning for DPP processing for some time. On 2/6/25, we began issuing Initial Notices of Point-Based Award determinations to DPP claimants and will have them all out by 4/1/25. We could do that more quickly, but we have capped the

number to any one Primary Counsel firm at 200 Notices per week, because we worried about overwhelming a firm with too many at one time. Of course, any firm can ask us at any time to send them a higher volume each week.

DPP Initial Notices give 30 days for Reconsideration. Just as with EPP claims, nothing can be added to the record on Reconsideration and the process is to be used only to point out clear error. Our work plan for 2025 targets 5/20/25 as the date for having all Reconsiderations done and Final Notices After Reconsideration issued. At the Court's recommendation, during this same period, we and the Allocation Special Master are implementing an audit protocol for additional scrutiny of certain DPP claims to ensure that the proper earplug specific usage dates are used in the Points analysis to select the proximate Reference Audiogram (within five years of first earplug use) and Injury Audiogram (within five years of last use) and correctly measure hearing loss under the terms of the Allocation Methodology. About 5% to 8% of DPP claimants will be analyzed in this audit process when their entries present questions and suggest a need to confirm the correct usage dates. Those claimants will receive special Notices explaining the audit process and the issues involved on the claim. All that review and process also should be finished by 5/20/25.

Notices on DPP Point-Based Awards will advise DPP claimants the number of Points assigned to them but, as explained from the beginning and as we saw in Points processing for MSA III Wave Cases claimants, cannot state any dollar amount for the resulting DPP Point-Based Award. We will not know that dollar amount as those Notices go out. All DPP Final Notices must be issued after all Reconsiderations in order for us to have the Final Point Total for each DPP claimant and the resulting total Points assigned to all DPP claimants. Then we can calculate the DPP Point Dollar Value (the "PDV") and see how much each DPP claimant will be paid on their Points. For those of you knowledgeable with the manner in which Points were assigned to MSA III Wave Cases, this will sound very familiar.

3. Calculating the DPP Point Dollar Value and Making Point-Based Award Payments.

The MSA I Allocation Methodology set all this out. Remember that a DPP Point-Based Award will not be paid all at one time. Instead, each DPP claimant will be paid some Point-Based Award amount every October for five years, from 2025 through 2029.

Each DPP claimant's Final Point Total will be fixed after we finish all the DPP Requests for Reconsiderations. The Final Point Total assigned to each DPP claimant never will change. What will change is the dollar value of each of those Points and what we can pay out on DPP Point-Based Awards each October over that five-year period.

Under the Allocation Methodology, the first PDV calculation will occur on 10/1/25. To do that, we will determine the money available in the Settlement Fund to allocate to DPP Point-Based Awards in the first payment on those Awards and divide that amount by the total of all DPP Points assigned to all the DPP claimants.

The money available for Point-Based Awards will be the balance in the Settlement Fund at the time, less the share of administrative costs attributable to MSA I, and less the amount needed at the time for payments on MSA I EIF Awards (as explained in Section III of this Alert below). After

we calculate the PDV for the first time on 10/1/25, we will announce it to all Primary Counsel and provide them a report listing each DPP claimant they represent and the amount of the claimant's first Point-Based Award payment. We will also inform *pro se* DPP claimants directly of their allocation amount. There will be no need to issue individual Notices to each DPP claimant of the dollar amount of their first Point-Based Award payment, because it will be a function of their total Points and the PDV. That multiplication will be shown in the reports we provide after the PDV Calculation Date.

We will distribute the first DPP Point-Based Award Payments promptly after the 10/1/25 PDV Calculation Date One. Then, we will calculate the PDV every October 1 from 2026 through 2029, as required by the Allocation Methodology, using the money in the Settlement Fund resulting from the deposits made by the Defendants over time. We will announce the PDV and generate individualized reports for each Primary Counsel firm every October through 2029 and advise *pro se* claimants of the results directly. (Again, individual claimant notices will not be issued.). Because this will continue over that five-year period, it will be crucially important for all DPP claimants to keep their Primary Counsel apprised of any changes in name, address, email, and phone number and for *pro se* claimants to do the same with us. If a claimant cannot be found in any year, there will be no way to pay them.

We cannot know with reasonable certainty now what the PDV will be each October 1 from 2025 through 2029. Only some preliminary estimates of that value can be made, as explained in Section IV of this Alert below.

III. MSA I EIF APPLICATIONS

1. MSA I EIF Applications Submitted.

The deadline to make an MSA I EIF Application passed on 7/26/24. From the total 251,322 EPP and DPP Participating Claimants in MSA I, we received 22,361 Applications for Extraordinary Injury Award, asserting 26,394 EIF Injury Category claims, as shown in Table 1:

Table 1		MSA I EIF APPLICATIONS	
	ASPECT	APPLICATIONS	% OF CLAIMS
1.	Claimants	22,361	
2.	EIF Injury Categories Claimed	26,394	
(a)	Category 1 - Hidden Hearing Loss	1,166	4.42%
(b)	Category 2 - Low Frequency/Non-DD From Hearing Loss	7,089	26.86%
(c)	Category 3 - Recorded Tinnitus	13,038	49.40%
(d)	Category 4 - Other Otologic Injury and Intervention for Acoustic Trauma	3,842	14.56%

Table 1		MSA I EIF APPLICATIONS	
	ASPECT	APPLICATIONS	% OF CLAIMS
(e)	Category 5 - Economic Loss through Impact on Work Productivity / Occupation	830	3.14%
(f)	Category 6 - New Onset Hearing Impairment Related to Noise Exposure	429	1.63%

2. Doing Reviews and Issuing Notices on MSA I EIF Applications.

We and the Allocation Special Master also have been preparing for some time for the review and processing of the 26,394 EIF Injury Category claims. Initial Notices of EIF determinations to MSA I claimants will roll out no later than June 2025. These Notices will state the grant or denial of the EIF claim, the EIF Award amount assigned to each eligible claimant, and the EIF Application Fee(s) due. Claimants will have 20 days to request Reconsideration, based on the existing record, to correct a clear error. Just as with the MSA III Wave Cases EIF Awards, the Allocation Methodology sets an EIF Application Fee for each of the six Injury Categories (\$250 for IC 1, IC 2, IC 4, and IC 6; \$750 for IC 5; and \$1,000 for IC 3). That Application Fee will be deducted from the Gross Amount of a granted EIF Award before application of the 9% Common Benefit Fund assessment. The Primary Counsel for a claimant whose EIF claims is denied is responsible for paying the applicable Application Fee into the Settlement Fund. All collected EIF Application Fees will be applied towards the costs of administering the EIF Program.

Our workplan calls for all Reconsiderations to be finished and final EIF Notices issued by 9/15/25. That, of course, could change depending on how many Reconsideration requests are made. Nonetheless, we are confident we will know all final EIF Awards by the first DPP PDV Calculation Date on 10/1/25.

3. The Funds Available for MSA I Extraordinary Injury Awards.

The EIF Allocation Methodology states:

For MSA I, the total proceeds for the Extraordinary Injury Fund shall be limited to a maximum of up to ten percent (10%) of the Total Settlement Funds paid by 3M into the Settlement Trust, less the funds required to compensate all Expedited Pay Settlement Program Claimants, Registration Payments, and Costs of Administration.

The Allocation Methodology also warned that because the Defendants' payment obligations are dependent on the satisfaction of certain conditions, "the amount of total proceeds for the Extraordinary Injury Fund may vary greatly and thus the amount of EIF Awards for each EIF Category could be impacted."

Under MSA I, the Defendants make deposits into the MSA I Settlement Fund on 14 occasions. The first was on 12/26/23, while the last is scheduled for 7/15/29. Many of those deposits are contingent upon the satisfaction of various conditions spelled out in MSA I and its Exhibit 10. For our planning, we assume that all the deposits will be made in their full amount. We made that assumption in order to plan when we would be able to pay EPP claimants according to their FIFO Rankings. To help Primary Counsel and claimants understand that timing, we created and posted to all Portals a schedule of all deposits. The latest version of that, updated on 2/4/25, is Appendix A to this Alert for convenient reference as you read this.

Let's do the math steps required to determine the total proceeds for the MSA I Extraordinary Injury Fund:

- (1) Total monies paid by 3M into the Settlement Fund for MSA I: \$5.6 billion, assuming all conditions are met and all deposits are made in full.
- (2) Less the funds required to compensate all EPP claimants: \$2,646,870,100. This may change somewhat as we finish all EPP payments are made, but it will be close to that number.
- (3) Less the funds required to make the DPP Registration Payments: \$17,972,000.
- (4) Less the MSA I costs of administration: \$83,958,300. The projected administrative costs of the entire MSA I, MSA II, and MSA III Programs from 2023 to finish, for every expert, special master, and administrator ever working on the Program, is \$90,000,000, after applying the \$10,000,000 paid by the Defendants toward such costs. With the Court's approval, the share of that projected costs budget attributable to MSA I is \$83,958,300, based upon the relative amounts of the MSA I, MSA II, and MSA III Settlement Funds.
- (5) Net MSA I Settlement monies after those deductions: \$2,851,199,600.
- (6) Maximum MSA I Extraordinary Injury Fund: \$285,119,960, which is 10% of \$2,851,199,600.

That Extraordinary Injury Fund number in (6) is not final, but we are using it for our planning purposes.

4. How and When MSA I EIF Awards Will Be Paid.

The actual total amounts paid by Defendants into the Settlement Fund cannot be defined until we reach each of the scheduled deposit dates and know what pre-conditions have or have not been satisfied that affect making the deposits or their amounts. Because we will be paying DPP Point-Based Awards from those same deposits, we must take steps to ensure that EIF Award payments do not consume all the money we have in the Settlement Fund in the early years, which would prevent us from making any payments on DPP Point-Based Awards until all the EIF Awards were satisfied. It would not be fair to DPP claimants to make them wait for any payments until the Settlement Fund has received and paid out as much as \$285,119,960 in EIF Awards.

Instead, EIF Awards and DPP Point-Based Awards will be paid in tandem each October from 2025 through 2029, sharing the money coming into the Settlement Fund. The EIF Awards will be paid in segments on the same schedule we must follow for DPP Point-Based Awards. By the first possible payment date in October 2025, we will know the gross dollar amount of each MSA I EIF Award. The Program will pay that Award in five installments, distributing 20% of the gross EIF Award amount each October, with the first installment paid in October 2025 and the fifth and last in October 2029. Claimants with eligible EIF Awards will have the same imperative as DPP claimants to keep their Primary Counsel apprised of any changes in name, address, email, and phone number. Just as with the DPP Point-Based Awards, if an EIF Award recipient cannot be found in any year, there will be no way to pay them.

IV. PRELIMINARY ESTIMATES OF POSSIBLE DPP POINT DOLLAR VALUES

1. Assumed Elements for a DPP Point Dollar Value Projection.

As we look ahead to the five DPP PDV Calculation Dates, we also assume the Program will receive 100% of all the possible deposits. We made the timeline included in this Alert as Appendix B to show the dates and amounts of the potential deposits relative to each of the DPP Point Dollar Value Calculation Dates.

How much the Settlement Fund will pay out each October from 2025 through 2029 in DPP Point-Based Awards cannot be predicted now with any degree of certainty. Understandably, claimants and their counsel are wondering what those payments will look like. To try to help forecast the future, we can offer some estimates, but remember these are projections only and are not guaranteed. There are far too many variables to define these dollar amounts now, such as how many DPP Points will be assigned, what dollars will be awarded on EIF claims, what deposits the Defendants will make, and how much all those deposits will be, to be able to set clear expectations at this stage. The most we can do now is offer some possible suggestions.

Our PDV projections require several steps:

- (1) Money in the Settlement Fund to Use: We must estimate how much money will be in the Settlement Fund on each of the five PDV Calculation Dates. The timeline in Appendix B to this Alert shows those deposits over time if they are made in full. This injects a major element of uncertainty into this projection effort, but for now we assume the Settlement Fund will receive the full amount of all the possible deposits on the dates shown.
- (2) Less 20% of All MSA I EIF Awards: We assume that all the \$285,119,960 available will be consumed for MSA I EIF Awards. The Settlement Fund would pay 20% of that total, which in this analysis would be \$57,024,092, each October in each of the five scheduled segmented EIF Award payments.
- (3) Less Share of Costs of Administration: Next, we spread the \$83,958,300 total administrative costs attributed to MSA I over the five DPP Point Dollar Value Calculation Dates by deducting 20% of that amount, or \$16,791,660, each time. As we reach the fourth

and fifth years of the payment schedule—2028 and 2029—we will know more about actual administrative costs and will be able to adjust this costs deduction accordingly. To do any payment projections now, though, we assume the \$16,791,660 deduction each year for the MSA I share of administrative costs.

- (4) Money Available After Those Deductions: The dollars in the Settlement Fund each October, less those two deductions, tells us how much money we may have to do the following.
- (5) Less Added Payments to EPP Levels 3A-5 Under 1:5 Ratio Governor: This provision appears on pages 5-6 of the MSA I Allocation Methodology. We explain it in Section IV.2 of this Alert below but must mention it here as a step in this calculation. It requires some fairly complex math.
- (6) Money Available for DPP Points: After we make any adjustment required by the 1:5 Ratio Governor, we know the funds we have each year to spread over all the DPP Points assigned.
- (7) Total DPP Points Assigned: The next key component of this effort is how many DPP Points will be assigned. That number will not be known for sure until May 2025, at the earliest. For now, we use preliminary review results we have on all 17,972 DPP claimants and an assumption, based on our experience in MSA III, on increases in Points after Reconsideration, to *guess* that 301,068.07523 total DPP Points might be assigned. Whatever that total turns out to be, it will not change in any of the five years.
- (8) Resulting Possible DPP PDV: On each of the five PDV Calculation Dates every October, we divide the dollars available for DPP Points by the total DPP Points assigned to get the possible PDV to use in DPP Point-Based Awards each time.

2. Another Factor Affecting the DPP Point Dollar Value: The 1:5 Ratio Governor Between EPP and DPP Averages.

The Allocation Methodology provides that additional funds may be allocated to EPP claimants in Levels 3A, 3B, 4, and 5 to ensure that the average payment to DPP Point-Based claimants is no more than five times greater than the average EPP Award across those Levels. With Level 3A and 3B at \$10,000, Level 4 \$16,000, and Level 5 \$24,000, the simple average of those four Gross Award amounts is \$15,000. Because five times greater than that average is \$75,000, this 1:5 Ratio provision will be triggered if and when the average of all DPP Awards exceeds \$75,000. Any additional funds allocated to these EPP claimants are to be distributed to them proportionately to maintain a 1:5 ratio between \$15,000 EPP Levels 3A-5 average and the average of all Point-Based Payments to all DPP claimants.

This 1:5 Ratio Governor requirement will not be triggered until we reach the point where we have paid enough to DPP claimants as Point-Based Awards to reach a \$75,000 average of the payments to all DPP claimants. We think we will hit that in 2027, which will require using some of the money in the Settlement Fund to make additional payments to EPP claimants on Levels 3A to 5 in 2027, 2028, and 2029, to keep the ratio between the average EPP payments on Levels 3A to 5 in a 1:5

ratio with the average of all DPP Point-Based Awards. Making that work requires some complex math. Projecting it this far out is even harder, but we have done our best to run the numbers to show how this might turn out over time. We will monitor this each year and adjust to reality as necessary.

3. Possible DPP Point Dollar Value Simulations.

We start with Point Dollar Value Calculation Date One on 10/1/25. The bulk of the \$600,000,000 deposit expected on 4/15/25 (Deposit 6 in Appendix A to this Alert) will be used to pay the 39,605 EPP claimants in FIFO Group VI, which is the last FIFO Group through FIFO Rank 233,151. Today, we estimate that \$185,157,900 will be left from that deposit to be put towards payments on MSA I EIF Awards and DPP Point-Based Awards on Point Dollar Value Calculation Date One. Table 2 depicts how that first calculation and later DPP PDV calculations might work each year, but remember that the many variables involved makes these inherently speculative at this point:

Table 2		PRELIMINARY ESTIMATES OF MSA I EIF AWARD PAYMENTS AND DPP POINT DOLLAR VALUE ON EACH DPP POINT DOLLAR VALUE CALCULATION DATE (As of 2/18/25)				
	FACTOR	10/1/25	10/1/26	10/1/27	10/1/28	10/1/29
1.	Money in Fund to Use	\$185,157,900	\$1,200,000,000	\$950,000,000	\$300,000,000	\$300,000,000
2.	LESS 20% of All MSA I EIF Awards	\$57,023,992	\$57,023,992	\$57,023,992	\$57,023,992	\$57,023,992
3.	LESS Share of Costs of Administration	\$16,791,660	\$16,791,660	\$16,791,660	\$16,791,660	\$16,791,660
4.	Money Available After Those Deductions	\$111,342,248	\$1,126,184,348	\$876,184,348	\$226,184,348	\$226,184,348
5.	LESS Added Payments to EPP Levels 3A-5 Under 1:5 Ratio Governor	\$0	\$0	\$642,489,898	\$152,712,884	\$152,712,884
6.	Money Available for DPP Points	\$111,342,248	\$1,126,184,348	\$233,694,450	\$73,471,464	\$73,471,464
7.	Total DPP Points Assigned	301,068.07523	301,068.07523	301,068.07523	301,068.07523	301,068.07523
8.	Resulting Possible DPP Point Dollar Value	\$369.82416	\$3,740.63024	\$776.21797	\$244.03605	\$244.03605
9.	Total DPP Point Dollar Value (Cumulative from year to year)	\$369.82416	\$4,110.45440	\$4,886.67237	\$5,130.70842	\$5,374.74447

We take the PDV out to five decimal points to make the calculations more precise. As row 8 of Table 2 shows, the PDV will be different every October. If the estimates in Table 2 were to hold true—it is impossible to conclude that now—then the cumulative PDV after all five annual calculations and DPP Point-Based Awards payments would be \$5,374.74447, as shown in the last column of row 9 in Table 2. As you may recall, the Allocation Methodology predicted it might be from \$3,000 to \$7,000, so our current estimates are within that range.

We are trying to be helpful here, but again we must continue to stress and warn that all these projections are preliminary. Though showing such seemingly exact dollar amounts suggests some precision in the estimate, none of these are guaranteed to happen as we move ahead.

V. REMINDER ABOUT HEALTHCARE LIENS

As we all look towards payments on MSA I EIF Awards and DPP Point-Based Awards, we must keep in mind Healthcare Liens asserted by governmental agencies against those Awards must be satisfied. Alert No. 24-0036 issued on 11/8/24 answers that for us.

Refer to Alert No. 24-0036 for more detail, but the bottom line is that DPP Point-Based Awards will be affected only by state Medicaid claims. Under the agreements we reached with Medicare and Tricare, their claims against their covered claimants were satisfied from the claimants' Registration Payments (\$17.58 to Medicare and \$54 for TRICARE). Indian Health Service, CHAMPVA, and the Department of Veterans Affairs waived claims against DPP Point-Based Awards. Some state Medicaid agencies have given us waivers, but if the DPP claimant is covered by a state Medicaid agency that has not waived, the Program will have to hold back 25% of the claimant's 91% DPP Point-Based Award calculated on Point Dollar Value Calculation Date One on 10/1/25 until we can adjudicate the amount the state agency will accept in satisfaction of their claim. The DPP Point-Based Awards on the other four Point Dollar Value Calculation Dates will not be subject to Medicaid holdbacks or deductions. As a result, state Medicaid will be a problem only on Point Dollar Value Calculation Date One and even then, only on the fewer than 1% of DPP claimants who were covered by and used Medicaid for hearing-related medical care.

The picture on MSA I EIF Awards and Healthcare Liens is more complicated, as explained in Alert No. 24-0036. Only the Department of Veterans Affairs has fully waived. Medicare will take no deduction from IC 5 Awards and only \$7.08 from those on ICs 1, 2, 3, and 6. But if the claimant has an IC 4 Award (Other Otologic Injury and Intervention), we must withhold 100% of all the claimant's EIF Awards until we reach an agreement with Medicare as to that claimant as part of Medicare's expenditure-based resolution process. If the claimant was covered by TRICARE, Indian Health Service, or state Medicaid, we must withhold 100% of the EIF Award until we finish expenditure-based resolution with them. Military claimants will face no CHAMPVA claim, but on civilian claimants we must do the 100% holdback process for CHAMPVA. All those subject to state Medicaid will be subject to that 100% holdback of EIF Awards until we conclude expenditure-based resolution as to that claimant. For all the MSA I EIF claimants with this 100% holdback, we hope to satisfy the agency's reimbursement claim from the first EIF Award payment in October 2025, thereby exempting the 20% EIF installments in 2026 to 2029 from any deductions or delays caused by Healthcare Liens. We – and the Court – ask that you explain this to your EIF claimants.

ALERT 25-0002

APPENDIX A

COMBAT ARMS EARPLUGS SETTLEMENT PROGRAM

DEPOSITS INTO MSA I QSF AND POTENTIAL EPP FIFO PAYEE GROUPS (As of 2/4/25)					
DEPOSIT NUMBER	DEPOSIT DATE	DEPOSIT AMOUNT	FIFO GROUP	PAID OR POTENTIALLY PAYABLE EPP FIFO RANKS	NUMBER OF CLAIMANTS PAID OR POTENTIALLY PAYABLE
1	12/26/23	\$250,000,000 [Initial Payment after 30,000 Releases]	FIFO I	1 to 19,500	19,500
2	4/15/24	\$350,000,000 [cash in lieu of stock after 98% Participation]	FIFO II	19,501 to 48,665	29,165
3	7/15/24	\$750,000,000 [\$650,000,000 98% Participation Payment + \$100,000,000 cash in lieu of stock]	FIFO III	48,666 to 112,991	64,326
4	10/15/24	\$25,000,000 [cash in lieu of stock]	FIFO IV	112,992 to 113,779	788
	This \$25,000,000 deposit funds \$1,000 DPP Registration Payments and some EPP Awards.				
5	1/15/25	\$875,000,000 [\$500,000,000 Insurance Recovery + \$375,000,000 cash in lieu of stock]	FIFO V	113,780 to 193,546	79,767

DEPOSITS INTO MSA I QSF AND POTENTIAL EPP FIFO PAYEE GROUPS
(As of 2/4/25)

DEPOSIT NUMBER	DEPOSIT DATE	DEPOSIT AMOUNT	FIFO GROUP	PAID OR POTENTIALLY PAYABLE EPP FIFO RANKS	NUMBER OF CLAIMANTS PAID OR POTENTIALLY PAYABLE
6	4/15/25	\$600,000,000 [98% Participation Payment]	FIFO VI	193,547 to 233,151	39,605 (projected residual of \$185,147,900 for first DPP and MSA I EIF Payments in October 2025)

ADDITIONAL DEPOSITS INTO MSA I QSF APPLIED TO DPP AND EXTRAORDINARY INJURY AWARDS

DEPOSIT NUMBER	DATE	DEPOSIT AMOUNT	COMMENTS AND EXPLANATION FOR DPP CLAIMANTS AND EXTRAORDINARY INJURY APPLICANTS
7	1/15/26	\$75,000,000 [cash in lieu of stock]	Will be used for DPP Point-Based Payments and MSA I EIF Payments in October 2026.
8	4/15/26	\$325,000,000 [\$250,000,000 98.5% Participation Payment + \$75,000,000 cash in lieu of stock]	Will be used for DPP Point-Based Payments and MSA I EIF Payments in October 2026.

ADDITIONAL DEPOSITS INTO MSA I QSF APPLIED TO DPP AND EXTRAORDINARY INJURY AWARDS

DEPOSIT NUMBER	DATE	DEPOSIT AMOUNT	COMMENTS AND EXPLANATION FOR DPP CLAIMANTS AND EXTRAORDINARY INJURY APPLICANTS
9	9/15/26	\$800,000,000 [\$500,000,000 99% and 99.5% Participation Payments + \$250,000,000 100% Participation Payment + \$50,000,000 Finality Payment] ¹	Will be used for DPP Point-Based Payments and MSA I EIF Payments in October 2026.
10	12/1/26	\$150,000,000 [Reserve Fund Payment] ²	Will be used for DPP Point-Based Payments and MSA I EIF Payments in October 2027.
11	7/15/27	\$750,000,000 [Balance of Insurance Recovery up to \$1,250,000,000; assumes \$500,000,000 previously paid]	Will be used for DPP Point-Based Payments and MSA I EIF Payments in October 2027.
12	9/15/27	\$50,000,000 [Finality Payment] ³	Will be used for DPP Point-Based Payments and MSA I EIF Payments in October 2027.
13	7/15/28	\$300,000,000 [\$100,000,000 99.5% Participation Payment + \$200,000,000 Reserve Fund Payment] ⁴	Will be used for DPP Point-Based Payments and MSA I EIF Payments in October 2028.

¹ This assumes that the Participation Percentage reaches 100% and that the conditions set in Confidential Exhibit 10 to the MSA are satisfied to require Defendants to make the Finality Payments described in Section 11.9 of the MSA. The date shown is the earliest possible date for a Finality Payment (Defendants have 15 days from the date shown to make that deposit, so it may occur as late as 9/30/26). Because these future deposits have certain contingencies under MSA I, whether all of them in fact will be made, in what amounts, and when cannot be determined with certainty at this time. This schedule presents the maximum amounts the QSF will receive if all conditions are satisfied.

² This reference and all references in this schedule to Reserve Fund Payments assume that the conditions set in Confidential Exhibit 10 to the MSA for Reserve Fund Payments are satisfied and not accelerated under the terms of Confidential Exhibit 10. As with the Finality Payments, whether the Reserve Fund Payments in fact will be made and the timing and amounts of any such deposits cannot be determined with certainty at this time.

³ This is subject to the uncertainty regarding Finality Payments described in footnote #2 and has the same 15-day window, so if made it may occur as late as 9/30/27.

⁴ This assumes a prior Reserve Fund Payment of \$150,000,000 and is subject to the uncertainty regarding Reserve Fund Payments described in footnote #3.

ADDITIONAL DEPOSITS INTO MSA I QSF APPLIED TO DPP AND EXTRAORDINARY INJURY AWARDS

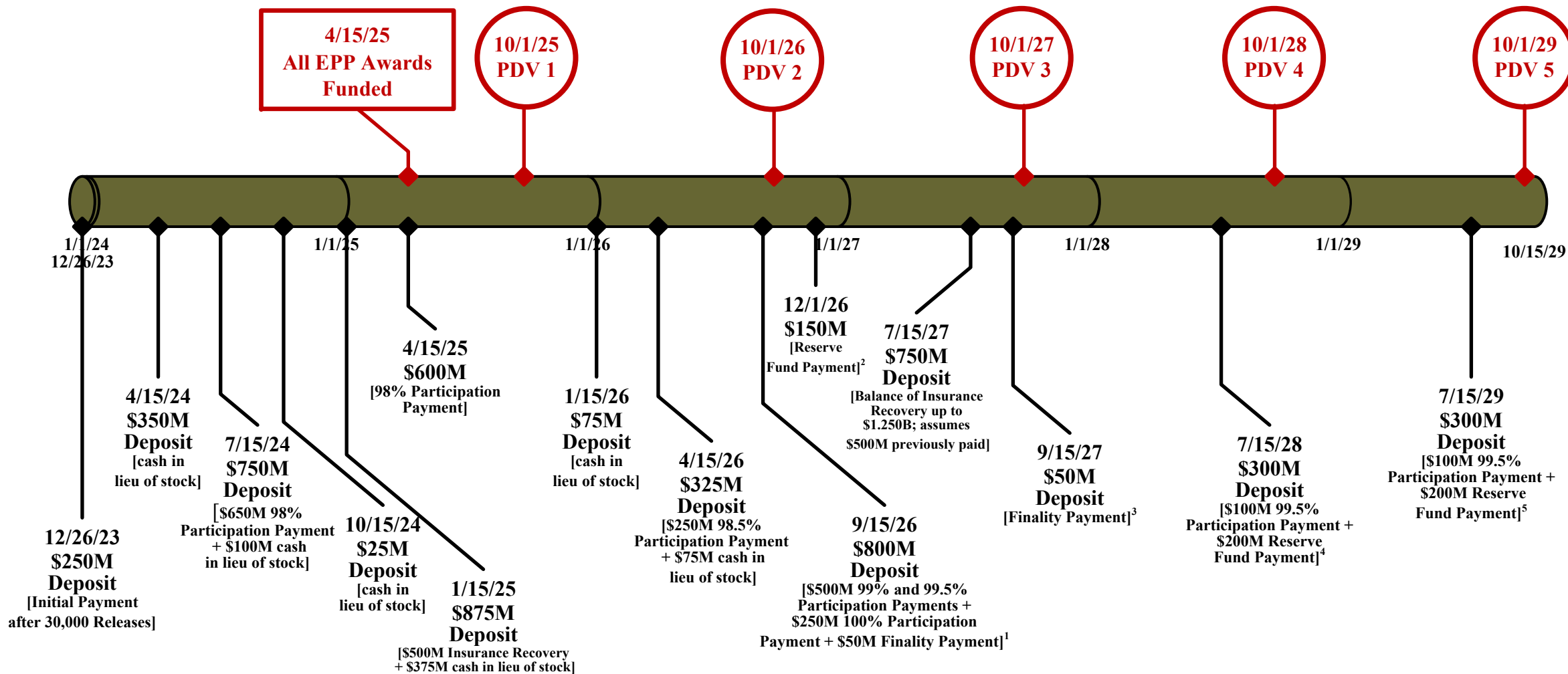
DEPOSIT NUMBER	DATE	DEPOSIT AMOUNT	COMMENTS AND EXPLANATION FOR DPP CLAIMANTS AND EXTRAORDINARY INJURY APPLICANTS
14	7/15/29	\$300,000,000 [\$100,000,000 99.5% Participation Payment + \$200,000,000 Reserve Fund Payment] ⁵	Will be used for DPP Point-Based Payments and MSA I EIF Payments in October 2029.

⁵ This assumes prior Reserve Fund Payments of \$150,000,000 and \$200,000,000 and is subject to the uncertainty regarding Reserve Fund Payments described in footnote #3.

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APPENDIX B

MSA I DEPOSITS INTO QSF AND DPP POINT DOLLAR VALUE CALCULATION DATES



¹ This assumes that the Participation Percentage reaches 100% and that the conditions set in Confidential Exhibit 10 to the MSA are satisfied to require Defendants to make the Finality Payments described in Section 11.9 of the MSA. The date shown is the earliest possible date for a Finality Payment (Defendants have 15 days from the date shown to make that deposit, so it may occur as late as 9/30/26). Because these future deposits have certain contingencies under MSA I, whether all of them in fact will be made, in what amounts, and when cannot be determined with certainty at this time. This schedule presents the maximum amounts the QSF will receive if all conditions are satisfied.

² This reference and all references in this timeline to Reserve Fund Payments assume that the conditions set in Confidential Exhibit 10 to the MSA for Reserve Fund Payments are satisfied and not accelerated under the terms of Confidential Exhibit 10. As with the Finality Payments, whether the Reserve Fund Payments in fact will be made and the timing and amounts of any such deposits cannot be determined with certainty at this time.

³ This is subject to the uncertainty regarding Finality Payments described in footnote #1 and has the same 15-day window, so if made it may occur as late as 9/30/27.

⁴ This assumes a prior Reserve Fund Payment of \$150,000,000 and is subject to the uncertainty regarding Reserve Fund Payments described in footnote #2.

⁵ This assumes prior Reserve Fund Payments of \$150,000,000 and \$200,000,000 and is subject to the uncertainty regarding Reserve Fund Payments described in footnote #2.