

MAREMONT ASBESTOS PERSONAL INJURY TRUST

AFFIDAVIT GUIDELINES FOR SHADE TREE MECHANIC CLAIMS MESOTHELIOMA 2 (DISEASE LEVEL V) CLAIMS

Pursuant to Section 2.1 of the Maremont Asbestos Personal Injury Trust Distribution Procedures (“TDP”), the Trustee issues the following guidelines for affidavits and sworn statements offered in support of Mesothelioma 2 (Disease Level V) Shade Tree Mechanic Claims submitted to the Trust:¹

- A. Shade Tree Mechanic Claims are claims asserted by “individual auto enthusiasts who worked on maintenance and upgrades to automobiles at home.” TDP, Sec. 2.1.
- B. Under the TDP, Disease Level V (Mesothelioma 2) claims that qualify as Shade Tree Mechanic Claims must show “Substantial Debtor Exposure.” TDP, Sec. 5.3(a)(3). “Substantial Debtor Exposure” requires that the claimant (1) demonstrate meaningful and credible exposure to the Debtor Product Lines; and (2) provide evidence that claimant’s Debtor Product Lines exposure was substantial in duration. TDP, n.5. “Meaningful and credible” exposure evidence may be established by an affidavit or sworn statement of the claimant, by an affidavit or sworn statement of a co-worker or the affidavit or sworn statement of a family member in the case of a deceased claimant, provided the Trust finds such evidence reasonably reliable and credible. TDP, Sec. 5.7(b)(3).
- C. Since the claimant must demonstrate Substantial Debtor Exposure to the Trust’s satisfaction; the Trust encourages claimants to consider, answer and provide as much information and responses to as many of the following topics and questions as possible, as well as any other details that may be recalled by the claimant. These topics and questions are intended to assist each claimant in demonstrating to the Trust how the claimant recalls being exposed to the Debtor Product Lines to establish meaningful and credible exposure to the Debtor Product Lines that was sufficiently “substantial in duration” to cause mesothelioma. However, information set forth in (1) through (8) below is **not** a requirement to submit a satisfactory affidavit or sworn statement to the Trust; these are merely guidelines to assist the claimant in submitting an affidavit or sworn statement that will, in turn, assist the Trust in its evaluation of the claim. The more information provided to the Trust, the more efficient and economic it will be for the Trust to evaluate the claim. The suggested guidelines include:
1. Describe the affiant’s relationship to the injured party and how the affiant acquired the information set forth in the affidavit. The affidavit should demonstrate that it is based on firsthand knowledge (e.g., what the affiant

¹ Capitalized terms used herein and not otherwise defined shall have the meanings assigned to them in the TDP.

personally observed), and not on hearsay (e.g., “my husband said he worked with or used the product”).

2. What asbestos-containing product brand was used for which the claimant asserts the Debtors have liability?
3. What was the location, including street address and city, of the residence where the vehicle maintenance and upgrade work was performed?
4. For what purpose and how was the asbestos-containing product used? What type (make/model) vehicle was maintained? What was maintained or upgraded on the vehicle with the asbestos-containing product?
5. Over what period of year or years was the maintenance and upgrade work performed?
6. Over what period of time (approximate number of days and hours) was the asbestos-containing product used in the maintenance and upgrade work?
7. Describe how the maintenance and upgrade work was performed.
8. Provide any other information that the claimant believes would assist the Trust in evaluating the information submitted in support of Substantial Debtor Exposure.