

ENDO OPIOID PERSONAL INJURY TRUST

Frequently Asked Questions (FAQs)

PI Opioid Claims

The FAQs are meant to simplify the description of the PI Opioid Claim submission and review process to facilitate Claimant and Law Firm understanding, and are not all inclusive. However, the actual Plan, PI Trust, and PI Trust Distribution (the “PI TDP”) documents are controlling, and these FAQs will evolve and be edited as the Trust administrations proceed.

1. What is the Endo Opioid Personal Injury Trust?

As part of the Fourth Amended Joint Chapter 11 Plan of Reorganization of Endo International plc and its Affiliated Debtors confirmed by the Bankruptcy Court on March 22, 2024 (the “**Plan**”), the Court approved creation of the Endo Opioid Personal Injury Trust (the “**PI Trust**”), upon the Effective Date of the Plan, to (i) assume all liability for the PI Opioid Claims, (ii) collect distributions made on account of the PI Trust Share in accordance with the PI Trust Documents, (iii) administer the PI Opioid Claims, (iv) make distributions to holders of Allowed PI Opioid Claims in accordance with the PI Trust Documents, and (v) carry out such other matters as are set forth in the PI Trust Documents.

2. What is the Plan Effective Date?

The Effective Date of the Plan is **April 23, 2024**.

3. How will the PI Trust be funded?

The PI Trust will be funded with the PI Opioid Claim Share of the PPOC Trust, after the deduction of certain allowable expenses/claims.

The PI Trust Share of the PPOC Trust is 44.5%.

4. Who is the Trustee and the Claims Administrator for the PI Trust?

Ed Gentle of Gentle, Turner & Benson, LLC is the Trustee and Claims Administrator.

5. What is a PI Opioid Claim?

A PI Opioid Claim is a present private opioid claim of any natural person (1) resulting from an injury to such natural person identified in the Claim Form, which injury resulted from such natural person's exposure to opioids or opioid replacement or treatment medication, and (2) arising from

his/her own use of an Endo Qualifying Opioid or arising from the use by a decedent (such deceased person, a "Decedent") of an Endo Qualifying Opioid prior to January 1, 2019. *See* the Endo Opioid Personal Injury Trust Distribution Procedures.

6. Who qualifies to file a PI Opioid Claim?

In order to be able to file a PI Opioid Claim, the claimant must have first filed a Proof of Claim against the Debtor in the Chapter 11 Bankruptcy case by the General Bar date of July 7, 2023, set by the Bankruptcy Court.

You can file a PI Opioid Claim if you meet the following requirements:

1. you received a prescription **before January 1, 2019**, for an Endo opioid, including any prescription for off-label use; **and**
2. you were injured from the Endo opioid use **on or before July 7, 2023; and**
3. you filed a Proof of Claim **by the General Bar Date of July 7, 2023.**

7. Must I have already filed a Proof of Claim with the Bankruptcy Court in the Endo Bankruptcy Case to file a claim with the PI Trust?

Yes. Claimants must have timely filed a Proof of Claim against one or more of the Debtors on or before the July 7, 2023 Bar Date.

8. Is there a claims bar date?

Yes. Endo PI Opioid Claims must be filed with the Endo PI Trust within thirty (30) days after the Effective Date, or by **May 23, 2024**, to be considered for compensation.

9. What if I chose not to file a claim?

If you choose not to file a claim, you will not be compensated by the Endo PI Trust and will have no recovery against Endo and its affiliated Debtors.

FILING A CLAIM: Documents & Signing

10. How do I file my Claim?

If you were represented by an Attorney in the Endo Bankruptcy matter, please contact your attorney regarding the filing of your claim. If you are not represented, or are no longer represented, and are therefore filing as a pro se Claimant, you can file a PI Opioid Claim by:

1. Submitting a PI Opioid Claim Form and supporting documentation through the PI Portal link located on the PI Opioid Claims Tab of this website which will become operational shortly (Please check back periodically for availability of portal link) , or
2. Downloading the PI Opioid Claim Form on the PI Opioid Claims Tab of this website, completing the PI Opioid Claim Form and mailing it with your supporting documentation to: Endo PI Trust, PO Box 361930, Hoover, AL 35236-1930, or emailing it to the endopitrust@endopitrust.com.

You can also use the PI Opioid Claim Form found in the Plan Documents.

11. What must I include in my submission?

You must include the following:

1. A completed and signed PI Opioid Claim Form;
2. Competent evidence to demonstrate proof of usage of a Qualifying Opioid (as defined in the PI TDP) prior to January 1, 2019;
3. A completed and signed HIPAA Release Form; and
4. If the PI Claimant is deceased, a certified death certificate AND:
 - a. If an Estate has been opened, provide Estate Documentation;
 - b. If an Estate has not been opened, the person filing the claim should complete and submit the PI Heirship Declaration Form, a copy of which is located in the PI Opioid Claims tab of this website.

12. How long do I have to file a PI Opioid Claim?

Claimants have thirty (30) days after the Effective Date to file their claim, or **by May 23, 2024**.

13. Is a HIPAA form required to be submitted with every claim?

Yes. The Trust requires that a signed HIPAA form be submitted for every claimant up front to expedite the lien resolution process.

14. When will I be required to submit an Heirship Declaration?'

You must submit the Heirship Declaration at the same time that you file your Claim as part of the accompanying documentation if you are representing a deceased claimant.

15. If I am a firm that represents multiple clients, is there any way to do bulk filing through Dropbox?

Yes, we highly recommend the bulk filing approach if your firm represents multiple claimants. Please refer to the Law Firm Import Instructions Tab on this Website.

16. Can a lawyer/law firm sign the claim forms as the authorized legal representative/attorney for the claimant?

Yes, if the lawyer has the specific power to do so in their employment/engagement agreement with the Claimant, has a separate document authorizing the attorney to sign the claim form on the Claimant's behalf, or has been named as the Claimant's agent in a Power of Attorney (POA). Both the Endo PI Trust Distribution Procedures for Opioid PI Claims require the Claimant to sign the Claim Form to certify under penalty of perjury that the information provided therein is true and correct to the best of their ability. If the Claimant is a minor, his or her parent or legal guardian can sign on his or her behalf. If the Claimant is deceased, the legally appointed personal representative, or the person qualified to complete and sign the Heirship declaration should be the person completing and signing the Claim Form. Electronic signatures are allowed. If the lawyer is signing on behalf of their client, they must provide the Trust with the specific document(s) providing the lawyer/law firm with that power.

17. Provided a law firm has authorization from their claimants, is it acceptable for the attorney to sign the HIPAA release on their behalf?

No. Most insurers or entities that will be receiving the signed HIPAA release require the claimant's signature, or, if the claimant is deceased, a minor, or incapacitated, the legal representative's signature.

18. What happens if I send my Claim Form to the Trust prior to the date the Trust begins accepting Claim Form submissions?

At this time, we are only accepting claims submission for the PI Trust. All PI Opioid Claims submitted prior to the Effective Date will be accepted as a courtesy to be held in escrow, with the receipt date for processing to be the Effective Date of the Plan, and with review and ultimate determination regarding the validity of any claims so received not occurring until the Effective Date.

19. If my attorney has filed my claim, do I have to use the portal to sign electronically?

It depends on how your attorney filed the claim. Please check with your attorney for further instructions.

FILING FOR A DECEASED CLAIMANT

20. If I am filing a Claim on behalf of a Deceased Claimant where there is no Probate Estate opened, do I need to complete additional documents?

Yes. You will need to provide the Endo Heirship Declaration.

21. The Claimant is deceased and there is a Probate Estate opened for his/her estate, with a personal representative having been appointed. On the Claim Form, when the relationship between the person submitting the Claim Form and the deceased Claimant is requested, what should I put down?

Please indicate that you are the personal representative of the deceased Claimant's estate.

FILING FOR A MINOR CLAIMANT

22. What if I am filing PI Claimant for a PI Claimant who is still a minor?

If you are filing a claim on behalf of a Minor PI Claimant, you will be responsible for submitting proof showing you have the authority to act on behalf of the minor PI Claimant as a **Proxy**.

23. Who can be a minor PI Claimant's Proxy?

1. A Minor Claimant's custodial parent, his/her legal guardian under applicable law (a "**Guardian**"), or an adult providing custody and care to the minor (any of the foregoing acting on behalf of the Minor Claimant, the "**Proxy**") is authorized to make submissions on behalf of the Minor Claimant under the PI TDP, subject to section 8.2(b) of the PI TDP.
2. The Proxy shall be responsible for submitting, on behalf of such Minor Claimant, all required forms under the PI TDP, including the proof of claim form, as well as any evidence required by the PI Trust to support claim, and any other documentation required or requested pursuant to the PI TDP.
3. The Proxy is authorized to take, on behalf of a Minor Claimant, all actions under the PI TDP that the Minor Claimant would be authorized to take if such Minor Claimant were an adult.

24. How do I prove I am the PI Claimant's Proxy?

Any purported Proxy making a submission to the PI Trust on behalf of a Minor Claimant must submit the Endo Proxy Form and include along with such submission documentation of his/her authority to act on behalf of the Minor Claimant, consisting of the following:

1. If the Proxy is the Guardian of the Minor Claimant, then:
 - a. the court order appointing that Proxy as Guardian, or

- b. other documents reasonably acceptable to the PI Trust as sufficient under applicable law to evidence the guardianship.
- 2. If the Proxy is the custodial parent of the Minor Claimant, then a statement under penalty of perjury that such Proxy is the custodial parent of the Minor Claimant.
- 3. If the Proxy is neither the Guardian nor custodial parent of the Minor Claimant, then:
 - a. a statement under penalty of perjury by the purported Proxy stating that:
 - i. he/she is providing custody and care to the Minor Claimant,
 - ii. how long he/she has been providing such care and custody,
 - iii. explaining his/her relationship to the Minor Claimant and the circumstances around the provision of care and custody,
 - b. as well as a statement and/or records from one or more of the following in support of his/her statement under penalty of perjury:
 - i. Your minor PI Claimant's school
 - ii. Your landlord or property manager
 - iii. Your minor Claimant's health provider
 - iv. Your minor Claimant's childcare provider
 - v. Your placement agency
 - vi. Governmental Social Services Agency
 - vii. Indian Tribe Officials
 - viii. Your Employer

FILING A CLAIM: Proof of Use & Injury

25. I used opioids that I believe were manufactured by the Debtors but are not on the list provided by the Settlement. What should I do?

Please submit the Claim Form, naming the opioids and providing proof of their use. We will then research the issue and try to determine if there is a connection between the opioid product and one or more of the debtors.

26. Will I be required to prove that the PI Claimant had, or currently has, an opioid prescription?

Yes. Claimants must demonstrate through evidence that they were legally prescribed an Endo opioid prior to January 1, 2019.

27. What is a Qualified Opioid?

A Qualified Opioid is a Endo Qualifying Branded Opioid or a Endo Qualifying Generic Opioid. The Endo Qualifying Branded Opioids are Abstral, Belbuca, Cheratussin AC, Darvon-N, Depodir, Endocet, Endodan, Ibudone, Metadol, Meperitab, Metadol-D, Nubian, Nucynta, Opana, Opana ER, Percocet, Percodan, Tridural, Statex, Vi-G-Tuss, and Sydone.

The full list of the Endo Qualifying Generic Opioids can be found in ARTICLE 5 of the PI TDP located in the PI Opioid Claims Tab.

28. What evidence must I submit to show use of a Qualified Opioid?

Evidence of Qualifying Opioid Products. One of the following is required to demonstrate a Qualifying Opioid (listed in section 5.1(a)(i) of the PI TDP):

1. A PI Claimant who provides evidence of a prescription for brand name opioids Abstral, Belbuca, Cheratussin AC, Darvon-N, Depodir, Endocet, Endodan, Ibudone, Metadol, Meperitab, Metadol-D, Nubian, Nucynta, Opana, Opana ER, Percocet, Percodan, Tridural, Statex, Vi-G-Tuss, and Sydone., may rely on the name alone without the necessity of a corresponding NDC number.
2. To qualify based on the use of one of the generic products listed in section 5.1(a)(ii)(A) of the PI TDP, a PI Claimant must present either:
 - a. The corresponding NDC number, which is set forth in the list in section 5.1(a)(ii)(A) of the PI TDP (the list of NDC numbers may be supplemented as additional information becomes available); or
 - b. A notation in the record that the product is manufactured or sold by Endo Pharmaceuticals, Anchen Pharmaceuticals, Boca Pharmaceuticals, DAVA Pharmaceuticals, Par Pharmaceuticals, Par Sterile Products, Qualitest Pharmaceuticals or Vintage Pharmaceuticals.

Acceptable Evidence for Establishing Use of Qualified Opioids. All PI Claimants must demonstrate a prescription (which contains the name of the PI Claimant or Decedent, as applicable) and a Qualifying Opioid by submitting one of the following pieces of evidence:

1. Pharmacy prescription records;
2. Prescription records, including without limitation:
 - a. A visit note in which the prescribing physician lists a prescription for one of the Qualifying Opioids, or
 - b. A signed prescription from a doctor for one of the Qualifying Opioids;
3. A historical reference to one of the Qualifying Opioids, including but not limited to:
 - a. A reference in contemporaneous medical records to historical use of one of the Qualifying Opioids,
 - b. A reference in contemporaneous substance abuse, rehabilitation, or mental health records to historical use of one of the Qualifying Opioids,
 - c. A reference in contemporaneous law enforcement records to historical use of one of the Qualifying Opioids, or
 - d. A reference in contemporaneous family law or other legal proceedings records to historical use of one of the Qualifying Opioids;

NOTE: these records must have been created prior to January 1, 2019.

4. A photograph of the prescription bottle or packaging of one of the Qualifying Opioids with the name of the PI Claimant (or Decedent, as applicable) as the patient listed on the prescription label; or
5. A certification supplied by a Debtor, any of its successors (including the Trust), or a third party at a Debtor's or one of its successors' request, indicating the customer

loyalty programs, patient assistance programs (“PAPs”) copay assistance programs, or any other data otherwise available to the certifying entity reflects that the PI Claimant (or Decedent, as applicable) had at least one prescription for one of the Qualifying Opioids.

6. The PI Claimant must submit evidence that establishes that the PI Claimant holds a PI Claim based upon exposure to any opioid product or substance based on conduct of the Debtors occurring or existing on or before the Effective Date. The PI Trust shall have discretion to determine whether this requirements has been met so as to provide sufficient indicia of reliability that the PI Claimant or Decedent (as applicable) was prescribed and used Qualifying Opioids.

Any PI Claimant who does not meet the requirements of sections 4.2, 5.2(a), 5.2(b), and 5.2(c)(i-vi) of the PI TDP, is not entitled to any payment from the Trust.

29. Will I have to submit additional evidence after submitting the PI Opioid Claim Form and supporting evidence is submitted?

Potentially. Upon review of your claim, the Trust will determine if the evidence submitted complies with the TDP. If the evidence is insufficient, the Trust will notify you of the deficiency, which may require additional evidence.

CLAIM REVIEW PROCESS

30. Who determines if the evidence submitted is considered incomplete/ deficient?

The Trustee determines whether your submitted evidence is complete.

31. Who will be assessing/auditing my claim?

One of the following will be assessing/auditing your claim:

1. the Trust; or
2. a third-party retained by the Trust.

32. How will the Trust determine if the evidence supports the claim?

The PI Trust will review submitted claims and provided evidence to determine whether the claim qualifies as an Allowed PI Opioid Claim.

33. How is a determination made as to whether my PI Opioid Claim is compensable?

The PI Trust will receive, review, process, and resolve PI Opioid Claims in accordance with the PI TDP, and determine whether the claim is Allowed and therefore eligible for payment from the PI Trust. An Allowed PI Opioid Claim is a PI Opioid Claim that provides credible evidence that satisfied the evidentiary criteria set forth in the PI TDP.

34. How will PI Opioid Claims be processed?

PI Opioid Claims will be processed within 60 days of any timely filed submission.

35. What if my PI Opioid Claim is deficient/incomplete?

If your PI Opioid Claim is deficient, you will be notified by the Trust and have 15 days to cure any deficiencies.

36. What are some examples of deficiencies?

Examples of deficiencies include the claim form being filled out incorrectly, failure to provide supporting documentation (HIPAA, Heirship Documents, etc.), or evidentiary issues (such as providing no evidence of qualified Endo opioid use).

37. What if I don't timely cure my deficiencies?

If the deficiency is not timely cured to the satisfaction of the Trustee (within 15 days of notification), the claim will be disallowed. Any Non-GUC Release granted (or deemed granted pursuant to the Plan) by a holder of a Disallowed claim shall remain in full force and effect even upon the disallowance of such claim.

AWARD: CALCULATION

38. How will the PI Trust determine my award?

The PI Trust will liquidate and determine the gross amounts receivable on account of Allowed PI Opioid Claims in accordance with the PI TDP. Awards will be the gross number before the deduction or any allowed deductions or holdbacks, including but not limited to, Trust administration costs as provided in the Trust Documents.

39. How will the PI Trust divide the funds?

Allowed PI Opioid Claims will be paid a simple pro rata share of the distributable proceeds held by the PI Trust based on the total number of timely Allowed PI Opioid Claims submitted (the "Pro Rata Payment"). Allowed PI Opioid Claims who granted, or were deemed to have granted, pursuant to the Plan, the Non-GUC releases during the Voting Period will receive an **additional** award that is **four times** the Pro Rata Payment (the "Non-GUC Multiplier")

40. How is my award impacted if I did not grant/submit the Non-GUC release?

Claimants who did not grant the Non-GUC Releases during the voting period will only receive the Pro Rata Payment and **NOT** the Non-GUC Multiplier.

41. What, if any, fees/expenses, or other amounts will be deducted from my award?

All awards are subject to administrative fees, Common Benefit fees, if applicable, and medical liens repayment. If you have an attorney representing you, your award may be further reduced by their fees and case related expenses, if applicable.

42. When will I be notified of the award amount for my PI Opioid Claim?

After your PI Opioid Claim has been reviewed and any deficiencies cured, the Trust will send you or your attorney, if you are represented, a written notice of your award amount.

43. Who is the Lien Resolution Program Administrator?

We are currently working to finalize the Lien Resolution Administrator engagement. Specific PI Trust Lien Resolution FAQs and detailed information on the Lien Resolution Tab of this Website will be posted once the Lien Administrator has been engaged. Please check back periodically for updates.

44. What is subrogation for medical liens, and how does it apply to me?

Subrogation occurs when a third party, usually an insurance company, steps into the shoes of the injured party in order to seek reimbursement for the money that the third party has paid on behalf of the injured party for medical expenses. The Lien Resolution Program Administrator will be working to resolve any medical liens that you may have that are related to your opioid usage respecting any award you may receive from the Trust. Specific PI Trust Lien Resolution FAQs and detailed information on the Lien Resolution Tab of this Website will be posted once the Lien Administrator has been engaged. Please check back periodically for updates.

AWARD: PAYMENT

45. When will I get paid?

A reasonable estimate is that Allowed PI Opioid Claims will begin to be paid by the end of 2024.

46. How will I receive my payment?

Your payment less the payment of any common benefit fee, if applicable, administrative fees, and medical liens will be paid to you if you are not represented by an attorney, or to your law firm if you are represented by an attorney. If represented, you will receive your net payment from your law firm after the deduction of any legal fees and expenses.

47. If the PI Claimant is a minor, how will payment distributions be made?

1. If the PI Claimant's Proxy has established that they are the custodial parent or Guardian of the Minor Claimant, they will receive the amount of the net award to the Minor Claimant if, in addition to all other required materials, the Proxy provides the PI Trust with a sworn statement attesting to the following:
 - a. The Proxy is financially responsible for the Minor Claimant's welfare
 - b. The funds received by the Proxy from the Early Distribution will be used for the direct benefit and welfare of the Minor Claimant; and
 - c. The Proxy has agreed to account for and demonstrate, if requested by the Trustee, a court of law, government official or the Minor Claimant, that all funds received by the Proxy have been used for the direct benefit or welfare of the Minor Claimant, or the amount of such funds that are in possession of the Proxy which have yet to be expended for such purposes.
2. If the PI Claimant's Proxy is not the Custodial Parent or Guardian, the funds will be held for the Claimant until such time as he or she has reached the age of a legal majority, unless the Trust is directed otherwise by a Court Order.

APPEALING YOUR AWARD

48. Can I appeal my award determination?

Yes. A PI Claimant who disagrees with the determination of the PI Trust may appeal to the Appeals Special Master within 15 days of notice of their claim determination by submitting a written statement outlining the PI Claimant's position and why the PI Claimant believes the PI Trust has erred.

49. Is there a cost associated with the appeal, and, if so, how is the appeal fee paid?

Yes. An appeal fee of \$500 shall be assessed against the PI Claimant's recovery from the PI Trust.

50. What do I have to do to appeal?

A Claimant who chooses to appeal must submit a written statement outlining the PI Claimant's position and why the PI Claimant believes the PI Trust has erred.

51. Can I submit additional information when I submit my written appeal?

No, you cannot submit additional evidence or information to the Appeals Special Master. The Special Master will only review the appeal record and the claim file when deciding the appeal.

52. If I represent a PI Claimant who is still a minor, can I appeal the Minor Claimant's award determination?

Yes. You may appeal using the same methods mentioned above.

53. What will the Appeals Special Master be reviewing?

The Special Master will only review the appeal record and the claim file when deciding the appeal.

54. How will I know the result of my appeal?

The Appeals Special Master will issue a confidential determination on the appeal in writing which will be provided to the PI Claimant and the PI Trust.

55. Can I appeal again if I do not agree with the Appeals Special Master's determination?

No. Decisions made by the Appeals Special Master are final and binding. PI Claimants have no further appeal rights beyond the ones outlined in the PI TDP.

CONFIDENTIALITY

56. Will the information provided be confidential?

Yes. It is assumed that information in your PI Opioid Claim Form, and any other related materials, was intended to:

1. Remain confidential between you and the Trust; and
2. Be protected by all applicable state and federal privileges and protections.

57. What about third parties hired by the PI Trust to assess/audit claims?

In specific limited circumstances, the Trust may disclose information, documents, or other materials, if it is reasonably necessary to process your claim or in order to resolve liens.

58. How will the PI Trust make sure personal information remains confidential when it is sent to a third party?

The Trust shall take any and all steps reasonably feasible (as determined by the Trust) to ensure your personal information remains confidential, including, receiving a written confidentiality agreement from the third-party that:

1. Ensures your information will be used solely by the third-party for the purpose stated in the agreement; and
2. Prohibits the third party from sharing your information except as stated in the agreement.

59. What happens to personal information once the PI Trust is closed?

Once the Trust winds down (leading to the termination of the Trust), if the Trust determines there is no legitimate reason to keep submitted records/information, the Trust will securely destroy all records containing any personal information in compliance with any applicable federal laws and Delaware laws.

60. What happens after the records are securely destroyed?

The Trust will file a certification with the Bankruptcy Court attesting to the secure destruction of the records in compliance with any applicable federal laws and Delaware laws.