

ENDO OPIOID PERSONAL INJURY TRUST AND ENDO NAS PERSONAL INJURY TRUST FAQs for Law Firms

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

- 1. If I am a firm that represents multiple clients, is there any way to do bulk filing?**
 - a. **Yes**, we highly recommend the bulk filing approach if your firm represents multiple claimants. You can contact us if you would like more information on bulk uploading or to set up a Dropbox.

- 2. Can a lawyer/law firm sign the claim forms as the authorized legal representative/attorney for the claimant?**
 - a. **Yes, if the lawyer has the specific power to do so in their employment/engagement agreement, has a separate document authorizing the attorney to sign the claim form on their behalf, or has been named as an agent under a Power of Attorney.** Both the Endo PI Trust Distribution Procedures for Opioid PI Claims and NAS 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.

- 3. How will you know where to send payment if an attorney is involved? (asked because only address information on claim form is Claimants)**
 - a. There will be a question on the Portal interface asking if the Claimant is represented, and if so, to please provide their attorney information. Or, if the firm submits claims via Bulk Upload, our system will automatically link the firm's claimants to the firm representing them.

4. **Provided a law firm has authorization from their claimants, is it acceptable for the attorney to sign the HIPAA release on their behalf?**
 - a. **Yes.** 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. However, if the POA paperwork mentioned in FAQ #2 is sufficiently broad, it can also allow the firm to sign the claimant's Endo HIPAA **if** the client already signed the HIPAA for MNK. If the firm goes this route, submit to the Trust the Endo HIPAA signed by the firm and the POA paperwork.

5. **What happens if I sent my Claim Form to the Trust prior to the date the Trust began accepting Claim Form submissions?**
 - a. 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.

6. **Can I Use the Claim Form Draft in the Plan Documents?**
 - a. **Yes.**

7. **If a law firm is submitting claims through the Portal system, is it possible to upload the final page of the form with the claimant's signature and verification of the claim along with the supporting documents instead of having the Claimant login to the portal to sign electronically?**
 - a. **Yes.** It is possible to upload the final page of the claim form with the claimant's signature and verification of the claim when submitting the claims data via the Portal System. **If you are doing this, please indicate so in the signature field by writing "See C.F."**

8. **Is a HIPAA form required to be submitted with every claim?**
 - a. **Yes.** The Trust is requiring that a signed HIPAA form be submitted for every claimant up front to expedite MASSIVE's lien resolution process.

9. **If a law firm submitted the Proof(s) of Claim on behalf of their clients, is that sufficient to be considered a claim for Endo PI Trust and Endo NAS PI Trust purposes?**
 - a. The Proof(s) of Claim that were filed as part of the Chapter 11 Bankruptcy proceedings through the Debtor's noticing agent, Kroll, and is separate from claims to be filed with the Endo PI Trust and Endo NAS PI Trust. 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, and must then file a Claim Form with the Endo PI or Endo NAS PI Trust. The Proof of Claim is not a substitute for the required Endo PI and Endo PI NAS Claim Forms.

10. If I am a law firm that has previously submitted claims in the MNK PI Trust, can those claim forms and evidence be transferred into the Endo PI Trust as a substitute for the Endo PI Claim forms?

- a. The Trust Distribution Procedures approved by the Bankruptcy Court establish that the Endo PI Claim Form is a requirement to properly filing a claim with the Endo PI Trust. As such, information previously submitted to the MNK PI Trust for PI Claimants is not a substitute for the required Endo PI Claim Forms, as the Endo PI TDP requires both the Endo PI Claim form and evidence demonstrating qualified Endo opioid use prior to January 1, 2019. However, the Endo NAS PI TDP allows for the transfer of NAS PI Claims from the MNK PI Trust into the Endo PI Trust under certain conditions. See the following FAQ for more information regarding NAS Claims.

11. My law firm previously submitted NAS Claims in the MNK PI Trust. How can the MNK NAS Claim information and evidence be transferred to the Endo PI Trust in lieu of submitting a new, full Endo PI Claim?

- a. For law firms wishing to submit all or a portion of their NAS Claims previously filed under the MNK PI Trust, we have created a table to be completed and submitted by the firm providing a list of Endo NAS PI Claims for those with Claims previously filed under MNK - **Endo NAS PI Claim List for those with Claims Filed Under MNK**. See the description below as well as the Bulk Data Import Instructions for more information.

The **Endo NAS PI Claim List for those with Claims Filed Under MNK** table includes the following information and must be completed in its entirety with the exception of the Middle Name for both the Child/Injured Party and the Claimant/Proxy:

- A. Firm Client or Claimant ID (the full SSN without dashes if no client or claimant ID is used by the firm)
- B. Child/Injured Party First Name
- C. Child/Injured Party Middle Name
- D. Child/Injured Party Last Name
- E. Child/Injured Party SSN (full SSN without dashes)
- F. Claimant/Proxy First Name*
- G. Claimant/Proxy Middle Name

- H. Claimant/Proxy Last Name*
- I. Claimant/Proxy Relationship to Child/Injured Party*
- J. Was a **Proof of Claim** Filed Under the Endo Bankruptcy?
 - a. If no, enter "N."
 - b. If yes, provide Claim #.
- K. Was the **Non-GUC Release** Deemed to Have Been Granted?
 - a. Provide a Y or N

- * As noted, the Claimant/Proxy name and Relationship to the Child/Injured Party are required fields; however:
 - o If the Claimant/Proxy name and/or Relationship to the Child/Injured Party HAS NOT changed since the MNK Claim submittal, no form or documentation is needed in relation to the Proxy.
 - o If the Claimant/Proxy name and/or Relationship to the Child/Injured Party **HAS** changed since the MNK Claim submittal, a new Proxy form is required along with supporting documentation, if applicable (see the Endo NAS PI Trust FAQs' section on FILING FOR A MINOR CLAIMANT).

- 12. As the Claims Submission Deadline for PI Claims is 30 days after the April, 23, 2024 Effective Date, may I answer the Claim Form section requiring the identification of the qualifying Endo opioid by directing the Trust to look at the claimant prescription history or medical records being provided?**
- a. Yes. Due to the short filing period, you may indicate on the claim form to direct the Trust to look at the records provided.