

**RESOLUTION OF THE TRUSTEE OF THE
MAREMONT ASBESTOS PERSONAL INJURY TRUST**

To adopt (i) Procedures for Processing and Paying Shade Tree Mechanic Claims and (ii) Affidavit Guidelines for Shade Tree Mechanic Claims Mesothelioma 2 (Disease Level V) Claims:

This Resolution to adopt the Procedures for Processing and Paying Shade Tree Mechanic Claims and Affidavit Guidelines for Shade Tree Mechanic Claims Mesothelioma 2 (Disease Level V) Claims is made by the Trustee of the Maremont Asbestos Personal Injury Trust (the “*Trust*”), pursuant to the provisions of the Maremont Asbestos Personal Injury Trust Distribution Procedures (as may be amended from time to time, the “*TDP*”) and the Maremont Asbestos Personal Injury Trust Agreement (the “*Trust Agreement*”). All capitalized terms not otherwise defined herein shall have the respective meanings assigned to such terms in the Trust Agreement or the TDP.

RECITALS:

1. The Trust, TDP and Trust Agreement became effective on July 9, 2019, pursuant to the Modified Joint Prepackaged Plan of Reorganization of Maremont Corporation and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code, dated as of May 14, 2019 (as it may be amended or modified, the “*Plan*”).

2. Pursuant to the Plan, the Trust processes and pays Asbestos Personal Injury Claims (“*Asbestos Claims*”), pursuant to the TDP, which include Shade Tree Mechanic Claims (Disease Level V (Mesothelioma 2)).

3. Section 2.4 of the TDP provides that “[a]ll approved Shade Tree Mechanic Claims shall be paid at the end of each year and shall be paid the lesser of the pro rata share of the Shade Tree Maximum Annual Payment or the liquidated values established by the Asbestos Trust, subject to the Payment Percentage (‘Distribution Value’).”

4. Section 2.1 of the TDP provides that “[a]ffidavit guidelines will also be developed by the Asbestos Trust to be used by Shade Tree Mechanic Claims.”

5. On December 8, 2020, counsel for the Trust emailed counsel for the TAC and counsel for the FCR proposed (i) Procedures for Processing and Paying Shade Tree Mechanic Claims (“*STMC Procedures*”), and (ii) draft affidavit guidelines for Shade Tree Mechanic Claims, as a matter of consultation.

6. By emails from their counsel dated December 16, 2020 and December 22, 2020, the FCR and the TAC, respectively, approved the STMC Procedures attached to this Resolution as Exhibit A. By email from his counsel dated December 16, 2020, the FCR also approved the affidavit guidelines for Shade Tree Mechanic Claims in the form attached to this Resolution as Exhibit B.

7. The TAC thereafter proposed certain amendments to the TDP regarding Shade Tree Mechanic Claims. The Trustee did not object to the TAC's proposed amendments to the TDP, however, the FCR and the TAC engaged in negotiations regarding the TAC's proposed amendments which negotiations continued through December 31, 2021, without resolution.

8. Having not reached a resolution by December 31, 2021, the Trustee, through his counsel, proposed to counsel for the TAC and counsel for the FCR that the Trust proceed with processing and paying Shade Tree Mechanic Claims in accordance with the previously approved STMC Procedures attached to this Resolution as Exhibit A, and the affidavit guidelines for Shade Tree Mechanic Claims attached to this Resolution as Exhibit B.

9. By email from their counsel dated January 10, 2022 and January 11, 2022, the FCR and the TAC, respectively, advised that they approved paying the 2020 and 2021 Shade Tree Mechanic Claims in accordance with the current TDP and the STMC Procedures and the affidavit guidelines for Shade Tree Mechanic Claims attached to this Resolution as Exhibit A and Exhibit B, respectively.

NOW, THEREFORE, BE IT RESOLVED:

That the Trustee of the Trust hereby adopts the Procedures for Processing and Paying Shade Tree Mechanic Claims attached to this Resolution as Exhibit A, effective as of December 22, 2020.

That the Trustee of the Trust adopts the Affidavit Guidelines for Shade Tree Mechanic Claims Mesothelioma 2 (Disease Level V) Claims ("*Affidavit Guidelines*") attached to this Resolution as Exhibit B, effective as of January 11, 2022.

That the Trust's claims processing facility, MFR Claims Processing, Inc., shall implement the STMC Procedures and Affidavit Guidelines, attached to this Resolution as Exhibit A and Exhibit B, respectively, as soon as practicable. The STMC Procedures and Affidavit Guidelines shall be published on the Trust's website at www.maremontasbestostrust.com.

This Resolution to adopt the STMC Procedures and Affidavit Guidelines shall be included in the minutes and records of the Trust.

ADOPTED this 11th day of January 2022, effective as of the dates set forth above.



Alan B. Rich, Trustee

EXHIBIT A

MAREMONT ASBESTOS PERSONAL INJURY TRUST

PROCEDURES FOR PROCESSING AND PAYING SHADE TREE MECHANIC CLAIMS

1. Section 2.4 of the TDP provides that “[a]ll approved Shade Tree Mechanic Claims shall be paid at the end of each year and shall be paid the lesser of the pro rata share of the Shade Tree Maximum Annual Payment or the liquidated values established by the Asbestos Trust, subject to the Payment Percentage (“**Distribution Value”).”¹ The Trustee, in consultation with the Trust Advisory Committee (“TAC”) and the Future Claimants’ Representative (“FCR”), adopts these policies and procedures for processing and paying Shade Tree Mechanic Claims (Disease Level V).**
2. The Trust defines an “approved Shade Tree Mechanic Claim” to mean “an Asbestos Claim for Disease Level V (Mesothelioma 2) that satisfies all required criteria in the TDP and is determined to be compensable by the Asbestos Trust in accordance with the TDP.”
3. The Trust’s claims processor, MFR Claims Processing, Inc. (“MFR”), will review and process Shade Tree Mechanic Claims (Disease Level V) submitted to the Trust during the year in accordance with the TDP.
4. If the Trust determines a Shade Tree Mechanic Claim qualifies as an “approved Shade Tree Mechanic Claim” when it is processing such claim, MFR will provide the claimant or law firm with notice of this determination in the form attached hereto as **Exhibit A**.
5. In January of each year, MFR will prepare a list of all Shade Tree Mechanic Claims that qualified as “approved Shade Tree Mechanic Claims” during the preceding calendar year and determine the Distribution Value for such claims.
6. MFR will determine the Distribution Value of each approved Shade Tree Mechanic Claim in accordance with the TDP as follows. The Distribution Value of each approved Shade Tree Mechanic Claim shall be the lesser of:
 - a. The pro rata share of the Shade Tree Maximum Annual Payment determined by dividing the Shade Tree Maximum Annual Payment by the number of Shade Tree Mechanic Claims marked as approved in the previous calendar year; or
 - b. The liquidated value of each approved Shade Tree Mechanic Claim multiplied by the applicable Payment Percentage.

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

7. After the Distribution Value for each approved Shade Tree Mechanic Claim is determined, MFR will issue an offer to the claimant.
8. MFR will electronically generate a release when an offer is made.
9. The release will be posted online for download by law firm users. Upon request, MFR will provide a law firm and claimants not represented by counsel with a hard copy release.
10. To accept an offer, the claimant must submit an executed release to the Trust.
11. The Distribution Value to be paid to a claimant shall be determined based on the calendar year in which the claim becomes an “approved Shade Tree Mechanic Claim.” If a Shade Tree Mechanic Claim is subsequently withdrawn or deferred pursuant to TDP Section 6.3 after the date such claim is determined to be an “approved Shade Tree Mechanic Claim”, the Distribution Value for such claim will remain unchanged.
12. After determining the list of all approved Shade Tree Mechanic Claims for the preceding calendar year and the Distribution Value for such claims, MFR will email the Trustee each month a payment request for approved Shade Tree Mechanic Claims for which MFR has received an executed release in the preceding month. The payment request will consist of (1) the total number of approved Shade Tree Mechanic Claims and the aggregate amount of such claims to be paid; (2) a report listing attorney, number of claims to be paid by attorney and total amount of claims to be paid by attorney; (3) a report listing the individual claims, Distribution Value, and year in which such claim became an “approved Shade Tree Mechanic Claim”; and (4) a report aggregating the amount of liquidated claims by law firm.
13. The Trustee’s authorization of payment of claims may be reported in the minutes of the meeting or by email or other writings maintained in the records of the Trust.
14. If the Trustee authorizes payment, the Trustee will direct MFR in writing to make the payment.
15. MFR will monitor and report to the Trustee the following information regarding approved Shade Tree Mechanic Claims, broken down by calendar year: (1) the total number of approved Shade Tree Mechanic Claims and the aggregate amount of such claims to be paid; (2) the total number of approved Shade Tree Mechanic Claims which have been paid by the Trust and the aggregate amount of such payments; and (3) the total number of approved Shade Tree Mechanic Claims for which the Trust still must receive an executed release and the aggregate amount of remaining payments to be made for such claims.

EXHIBIT A

NOTICE REGARDING SHADE TREE MECHANIC CLAIMS

TDP Section 2.4 provides that “[a]ll approved Shade Tree Mechanic Claims shall be paid at the end of each year and shall be paid the lesser of the pro rata share of the Shade Tree Maximum Annual Payment or the liquidated values established by the Asbestos Trust, subject to the Payment Percentage (“**Distribution Value**”).”

The claims on the attached sheet have been determined by the Trust to be “approved Shade Tree Mechanic Claims” under the TDP.

In accordance with TDP Section 2.4, the Trust will issue offers on approved Shade Tree Mechanic Claims promptly following the end of each calendar year. In January of each year, MFR Claims Processing, Inc. (“MFR”), on behalf of the Trust, will prepare a list of all approved Shade Tree Mechanic Claims from the preceding calendar year and determine the Distribution Value for such claims.

After the Distribution Value for each approved Shade Tree Mechanic Claim is determined, MFR will issue an offer to the claimant. MFR will electronically generate a release when an offer is made. The release will be posted online for download by law firm users.

The Distribution Value of each approved Shade Tree Mechanic Claim shall be the lesser of:

- a. The pro rata share of the Shade Tree Maximum Annual Payment determined by dividing the Shade Tree Maximum Annual Payment by the number of Shade Tree Mechanic Claims marked as approved in the previous calendar year; or
- b. The liquidated value of each approved Shade Tree Mechanic Claim multiplied by the applicable Payment Percentage.

EXHIBIT B

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, completion of (1) through (10) below is **not** a requirement. The more information provided to the Trust, the more efficient and economic it will be for the Trust to evaluate the claim:
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 personally observed), and not on hearsay (e.g., “my husband said he worked with or used the product”).

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

2. What asbestos-containing product brand was used for which the claimant asserts the Debtors have liability?
3. How was the product packaged? Identify the packaging, including such items as size of packaging, color of packaging, etc. What markings, if any, were on the product (not just the packaging)?
4. When and where was the asbestos-containing product purchased?
5. What was the location, including street address and city, of the residence where the vehicle maintenance and upgrade work was performed?
6. 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?
7. When was the maintenance and upgrade work performed? What was the date?
8. Over what period of time (approximate number of days and hours) was the asbestos-containing product used in the maintenance and upgrade work?
9. Describe how the maintenance and upgrade work was performed.
10. Provide any other information that the claimant believes would assist the Trust in evaluating the information submitted in support of Substantial Debtor Exposure.