

# DII Industries, LLC Asbestos PI Trust

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## TRUST UPDATE – May 1, 2024

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**Changes in the Trust's Method of Valuing Lung Cancer 1 Claims Submitted for Individual Review:** Section 2.2 of the Trust Distribution Procedures requires that the Trustees use their reasonable best efforts to ensure that claims' average Liquidated Amounts approximate the Average Values stated in Section 5.3. To comply with this provision, and after consulting with the Trust Advisory Committee and Legal Representative, the Trustees have adjusted the model used to value Lung Cancer 1 claims submitted for Individual Review. This adjustment may produce higher valuations than the prior model.

To help claimants determine how this new model affects their claims' values, the Trust will permit Lung Cancer 1 claimants who elect Individual Review to change their review process election after receiving a settlement offer if they submit such a request by June 30, 2025. Additionally, Lung Cancer 1 claimants who elected Expedited Review; received or receive a settlement offer before June 30, 2024; and have not accepted the offer may change their review process election to Individual Review if they submit such a request by June 30, 2025. Please send these requests and any questions to Kelly Hankey at [khankey@diiasbestostrust.org](mailto:khankey@diiasbestostrust.org).

**Ohio Worker's Compensation - UPDATE:** In response to recent revisions to Section 4123.85 of the Ohio Revised Code, the Trust has updated its policies regarding confirmation letters issued by the Ohio Bureau of Workers' Compensation. Going forward, Bureau confirmations, when required, must be dated (1) at least one year after the exposed person's death if the exposed person died on or after September 28, 2021; (2) at least two years after the exposed person's death if the exposed person died prior to September 28, 2021; or (3) after the date a claim is identified as Review Complete in the Hold tank in Trust Online.

For more information about when a Bureau confirmation is required, please see the Trust's October 1, 2019 Trust Update. As a reminder, if a claimant has a right to receive benefits from the Bureau, the claimant must advise the Trust of this right prior to receiving payment from the Trust.

Law firms should receive quarterly notifications from DCPF identifying claims that require a Bureau confirmation. Additionally, firms may determine when such a confirmation is needed by identifying Review Complete claims in the Hold tank with an open OhioWC activity code. All Bureau confirmations should be sent to Jennifer Sweitzer at [jsweitzer@delcpf.com](mailto:jsweitzer@delcpf.com) rather than uploaded to the claim.