

A.P.I. ASBESTOS SETTLEMENT TRUST CLAIM FORM INSTRUCTIONS

Revision: 10/11/2017

In order to submit a claim for compensation for asbestos-related disease against API, Inc., or any of its related entities (“API”), (the “Claims Process”), you must follow these Claim Form Instructions.

Please note that this Claims Process constitutes the **ONLY** and exclusive method by which a claimant may assert, and be compensated, for asbestos-related injuries claimed to be caused by API. API has filed for bankruptcy, and has had a Plan of Reorganization under the Bankruptcy Act confirmed by the Bankruptcy Court. That Plan, officially known as the Third Amended Plan of Reorganization of API, Inc. (November 21, 2005) as Modified At Confirmation, was entered by the Court on December 6, 2005 by Chief Bankruptcy Judge Gregory F. Kishel, of the Bankruptcy Court, District of Minnesota. The Plan, together with the API, Inc. Asbestos Settlement Trust Agreement, The Asbestos Claims Trust Estimation Agreement, and the API Trust Distribution Procedures, constitute the Plan Documents. The Plan Documents provide that the Claims Process is the **ONLY** and exclusive method by which a claimant may assert, and be compensated, for asbestos-related injuries claimed to be caused by API. All such claims will be processed and paid only by the A.P.I., Inc. Asbestos Settlement Trust. The Claims Materials sent by the Trustee contain a copy of the API Trust Distribution Procedures.

To successfully complete the Claims Process you must take the following steps.

- Complete the A.P.I. Asbestos Settlement Trust Claim Form
- Submit a processing fee of \$500 by check payable to the API, Inc. Asbestos Settlement Trust. If the check is issued by a law firm acting on your behalf, please contact the Trustee at the address on the Claim Form for the Trust’s Taxpayer Identification Number. If your claim is allowed by the Trust, the processing fee shall be refunded.
- Compile and submit the documentation required by the Claim Form, including evidence to exposure to A.P.I. Asbestos Products as required by the Claim Form.
- Submit a copy of a Death Certificate, if applicable, as described in the Claim Form.
- Submit a Certificate of Official Capacity if a personal representative is filing the Claim Form.
- Submit the medical reports, or medical records sufficient to support a diagnosis, as required for the specific disease you are claiming, as required by Section 2.2 “Disease Determination” of the Claim Form.
- Submit proof of API product exposure. This proof may consist of any of the following:
 - 1) Work History
 - 2) Social security Records
 - 3) Invoices
 - 4) Company Records
 - 5) Deposition Testimony of you, or co-workers, taken in asbestos litigation.

Proof of exposure submitted in any of categories 1-4 must be accompanied by a sworn Affidavit by the Claimant, or with respect to category 4 only, a sworn Affidavit by someone other than the Claimant (which Affidavit shall include a statement describing the basis for the affiant’s knowledge), establishing their authenticity.

- Submit your claim form, processing fee, and supporting documentation within nine (9) months of your receipt of these Claims Materials.

Claim forms must be typed. To have a Word copy of the claim form e-mailed to you, please send a request to APIAsbestosTrust@brownsonnorby.com. **Claim forms and all supporting documentation must be converted to PDF format upon completion, and submitted via e-mail to APIAsbestosTrust@brownsonnorby.com.** Please type “New Claim to API Trust of [claimant’s name]” in the subject line.

The \$500 check should be mailed to:

A.P.I., Inc. Asbestos Settlement Trust
225 South Sixth Street
Suite 4800
Minneapolis, Minnesota 55402

Upon completion of the Claims Process, the Trustee will make a claim determination as called for in the Trust Distribution Procedures.

Payment of Approved Claims

If your claim is approved by the Trustee, the claim will be categorized by the A.P.I., Inc. Asbestos Settlement Trust in an amount determined by the Trustee, based upon the Trustee’s determination of the Disease Category, as described as Section 5.1 of the TDP. An Approved Claimant will be entitled a pro rata payment of the approved claim and such future pro rata payments, as are approved by the Trustee, until the claim is determined by the Trustee to be paid in full, all as described in the Plan Documents and the TDP.

The Trustee has complete discretion to determine the timing of payments, including suspending payments, as described in the Plan Documents and the TDP.

Payment from the Trust is conditional upon the Trustee’s receipt of a fully-executed Release (in the form proscribed by the Trustee), including certain Settling Insurer Releases, as are required by the Trustee. Upon the Trustee’s approval of a claim, the Trustee will provide the required Release(s) for signature by, or on behalf, of the Claimant.

Upon approval of a claim, the Trustee will advise in writing how, when, and in what pro rata amount(s) payment will be made.

Appeal or Review of Trust Evaluation of a Claim

Claimants who reject the Trust’s determination and who dispute the Trustee’s decision as to their eligibility for payment, disease categorization, or the amount of the Trust’s offer, must initiate arbitration pursuant to procedures set forth in Sections 5.1(i) and 5.2 of the TDP. Pursuant to Section 5.2 of the TDP, only after claimants have rejected a non-binding arbitration award may they file suit against the Trust. The Trustee shall have the right to

establish, with the consent of the Trust Advisor and the Legal Representative, appropriate mediation procedures as a prior alternative to arbitration.

If you contend that your Claim is either an Extraordinary Claim, or an Exigent Health Claim, or an Extreme Hardship Claim, as defined in Sections 5.1(g) and 5.1(l) of the Trust Distribution Procedures, please so indicate on the Claim Form in Sections 2.4, 2.5, and 2.6.

These instructions do not constitute legal advice from the A.P.I., Inc. Asbestos Settlement Trust or the Trustee. Claimants are advised to review the claims materials sent to Claimants' counsel with claims pending at the time A.P.I., Inc. filed its Chapter 11 bankruptcy case, or seek independent legal advice. No legal advice will be provided to Claimants by the Trust, or the Trustee, or the Trustee's office.