

## **FAQs On New Developments**

**November 9, 2023**

**Q1: Does the uniform *Heirship Declaration for Mallinckrodt Opioid PI Trust Distribution Procedures* on the website and approved on July 7, 2023, void the *SD1 - Heirship Declaration for Mallinckrodt Opioid PI Trust Distribution Procedures* or the *SD2 - Heirship Declaration for Mallinckrodt Opioid PI Trust Distribution Procedures* that have already been submitted to the MNK PI Trust with a claim?**

A: No. The SD1 and SD2 Heirship Declarations submitted prior to the approval of the uniform Heirship Declaration are still valid.

**Q2: What Heirship Declaration should be used when filing claims after July 7, 2023?**

A: Any claims that require heirship documentation which are submitted to the MNK PI Trust after July 7, 2023, should use the uniform *Heirship Declaration for Mallinckrodt Opioid PI Trust Distribution Procedures*, although using the prior Heirship Declarations is still acceptable.

**Q3: Will approved Minor Non-NAS and NAS Claimants have to wait until the age or majority for their claims to be paid?**

A: No. Per the May 16, 2023, *Order Approving Request for Early Distribution of Funds Held in Minor Claimant's Accounts* on the website, approved minor claimant payments will be distributed to their Proxy (custodial parent or the guardian of the minor claimant) if the appropriate paperwork is supplied to the Trust.

**Q4: What steps need to be taken for a Minor Claimant's claim to be paid prior to the age of majority?**

A: The Minor Claimant's Proxy (custodial parent or the guardian of the minor claimant) can elect that the Trust release the award payment to the Minor Claimant's proxy by providing to the Trustee the *Sworn Statement by Proxy* form.

**Q5: Is the original Qualified Opioid List in the *Non-NAS PI Trust Distribution Procedures* all-inclusive?**

A: No, it has been expanded. The original Qualified Opioid List in the *Non-NAS PI Trust Distribution Procedures* is not all-inclusive. However, the Qualified Opioid List has been modified to be all-inclusive. The Court granted the Trustee's motion to clarify and expand the Qualified Opioid List on May 16, 2023. The updated Qualified Opioid list for Non-

NAS PI Claims can be located on the Non-NAS tab of the website. There are no requirements for NAS Claimants to prove a Qualified Opioid.

**Q6: When will claimants start being paid? How much will claimants be paid?**

A: A reasonable estimate is you will be paid some amount by the end of 2023 or early 2024.

On October 30, 2023, the Trustee, with the Approval of the Future Claimants Representative, Personal Injury Lead Counsel, and NAS Lead Counsel, determined the amount that will be paid initially per each NAS Claim and the amount to be paid initially per point for Non-NAS PI Claims. The amounts are a gross amount of \$703.83 and a net amount of \$524.01 per NAS Claim, and a \$.38957 gross and \$.29004 net per Non-NAS PI Claim point.

**Q7: In my Award Letter, I see a Gross and a Net Award, and in my Release, I see a Liquidated Value of Claim. Please explain.**

A: The Gross Award is the whole or total amount of your Award (prior to paying settlement overhead, like the Trustee, Administration expenses including computer programming, and Lien Resolution Administration expenses), with your Net Award representing the amount of your Gross Award that remains after the payment of settlement overhead. The Net Award amount shall be reduced further to pay your attorney's fees or case expenses (if you have an attorney) and any medical liens you have, if applicable. The Release you executed with the Trust defined your Award as the Liquidated Value of Claim, and this Liquidated Value of Claim equals your Gross Award.