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**EAGLE-PICHER PERSONAL  
INJURY SETTLEMENT TRUST**

William B. Nurre  
Executive Director

October 19, 2005

To: Claimants' Counsel

From: William B. Nurre

Section 7.1(b) of the Eagle-Picher Industries, Inc. Personal Injury Settlement Trust Claims Resolution Procedures ("CRP") establishes the mandatory medical criteria for claims allowance and specifically requires "a medical report from a *qualified physician* that (i) results from a physical examination by that physician and (ii) contains a diagnosis of an asbestos-related disease." (emphasis added).

Based upon evidence presented in the silica Multidistrict Litigation (MDL) as set forth in Judge Janis Jack's June 30, 2005 Order and the resulting federal grand jury and congressional investigations, the Trust can no longer presume that the following physicians meet the standard of a "qualified physician." Therefore, for claims in which the medical diagnosis results from a medical report of one of the following nine doctors or where the diagnosing physician relied upon a chest x-ray, CT scan or B-Reading report by one of the nine listed physicians in making his diagnosis, the Trust will hold issuing offers on such claims pending the results of the federal investigations. In the meantime, claimants may submit new medical documentation for review from qualified physicians. Any new medical submissions must conform to the mandates of Section 7.1(b) of the CRP.

For claims based on medical evidence of the kind described above that currently have outstanding offers, the Trust is withdrawing these offers pending the results of the federal investigations, at which time the Trust will reevaluate the offer. The Claims Processing Facility ("CPF") will notify under a separate cover the specific law firms whose outstanding claim offers have been withdrawn. Effective immediately, the following physicians will not be considered "qualified" under the EPI Trust CRP.

Dr. James Ballard	Birmingham, Alabama
Dr. Kevin Cooper	Pascagoula, Mississippi
Dr. Todd Coulter	Ocean Springs, Mississippi
Dr. Andrew Harron	Kenosha, Wisconsin
Dr. Ray Harron	Bridgeport, West Virginia
Dr. Glynn Hilbun	Moss Point, Mississippi
Dr. Barry J. Levy	Sherborn, Massachusetts
Dr. George Martindale	Mobile, Alabama
Dr. W. Allen Oaks	Mobile, Alabama

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**GENERAL AND  
ADMINISTRATIVE OFFICE:**  
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**CLAIMS PROCESSING FACILITY:**  
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Suite 220  
Naperville, IL 60563  
630-281-6500  
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**BOARD OF TRUSTEES:**  
Ruth R. McMullin  
James J. McMonagle  
David L. McLean

Additionally, the following two screening facilities/PFT labs will also no longer be considered qualified: N&M, Inc. and RTS, Inc.

Inquiries related to the disqualification of these physicians and facilities should be directed to the CPF Inquiries Board at [Inquiries@cpf-inc.com](mailto:Inquiries@cpf-inc.com) or by contacting the CPF Legal Affairs Department at (630) 281-6522.



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