
**EAGLE-PICHER PERSONAL
INJURY SETTLEMENT TRUST**

William B. Nurre
Executive Director

March 30, 2009

To: Claimants' Counsel

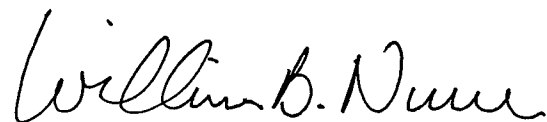
From: William B. Nurre

Section 7.1(b) of the Eagle-Picher Industries, Inc. Personal Injury Settlement Trust ("EPI Trust") Claims Resolution Procedures ("CRP") establishes the mandatory 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).

The Claims Processing Facility, Inc. ("CPF") recently learned of an opinion by the Honorable Robert J. Colombo, Jr. in the Third Judicial Circuit Court in Detroit Michigan that finds the medical opinion of Dr. R. Michael Kelly in support of diagnosis of asbestos-related diseases to be unreliable. Therefore, claims in which the medical diagnosis results from a medical report performed by Dr. R. Michael Kelly will no longer be validated. Effective immediately, Dr. R. Michael Kelly is being added to the Trust's list of unqualified physicians. (A complete listing of the unqualified physicians can be found at the CPF's website www.cpf-inc.com). The Trust will place such claims on administrative hold and will cease issuing offers on claims with medical supported solely by Dr. R. Michael Kelly. In order to remove these claims from administrative hold, 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 at this time. The CPF will notify under a separate cover the specific law firms whose outstanding claim offers have been withdrawn.

Inquiries related to the disqualification of Dr. R. Michael Kelly should be directed to the CPF Inquiries Board at Inquiries@cpf-inc.com or by contacting the CPF Legal Department at (630) 281-6522.



**GENERAL AND
ADMINISTRATIVE OFFICE:**
652 Main Street, 2nd Floor
Cincinnati, OH 45202
513-412-5590
Fax 513-412-5591

CLAIMS PROCESSING FACILITY:
East-West Tech Center
1771 West Diehl Road, Suite 220
Naperville, IL 60563
630-281-6500
Fax 630-281-6485

BOARD OF TRUSTEES:
Ruth R. McMullin
James J. McMonagle
David L. McLean