## UNR ASBESTOS-DISEASE CLAIMS TRUST

## EAST-WEST TECH CENTER 1771 WEST DIEHL ROAD, SUITE 220 NAPERVILLE, IL 60563

DAVID E. MAXAM Executive Director PHONE: (630) 281-6548 FACSIMILE: (630) 281-6748

March 21, 2011

Re: Change in Payment Percentage

## Dear Claimants' Counsel:

In March of last year when the Trust raised the Payment Percentage, we reminded you that the change did not represent a new policy or forecast but only a distribution of unexpected funds received as a result of litigation involving the bankrupt estate of ROHN Industries, to be allocated on the basis of the forecast in place and that the Payment Percentage would continue to be reviewed under the normal timetable.

Such a review has now been completed, by independent actuarial experts hired by the Trust, taking into account the unanticipated significant increase in claim filings as well as the historically weak investment performance due to the current fixed income market. Other trusts are experiencing these same factors. Based on their recommendations and consistent with past practice, the Payment Percentage will be adjusted to 0.82% effective March 17, 2011.

The Trustees continue to assume that less serious disease claimants will not file claims with the UNR trust, which has been the case since 2002, since the average value of such claims, if included in the independent analysis, would continue to project less than the non-refundable filing fee and would substantially reduce the value of all claims.

As a reminder, filing a claim timely in the tort system, does not toll the statute with the Trust. Also, the statute of limitations for malignant claims is measured from the date of diagnosis of the malignant disease and not from the earliest date of diagnosis of any asbestos-related disease. However, a claim is only considered timely filed when received by the Trust with the non-refundable filing fee; if a claim is received without the fee, the claim is not considered filed and the statute will continue to run until the fee is received.

The new Payment Percentage will be effective on all claims filed on and after March 17, 2011 as well as all claims filed before March 17, 2011 that have not yet been processed or have offers outstanding that have not been accepted with signed releases received at the Trust.

For those claimants who have returned releases and have not received any payment, the Trust will honor its commitment as reflected in the releases. For two-payment releases, keep in mind that as the release itself provides, the second payment will be in line with the Payment Percentage in effect at the time the second payment is made.

For those offers remaining outstanding it will not be necessary to reissue a new release unless desired by claimant counsel; once an offer is accepted and the signed release is returned to the Trust, the amount will be adjusted to reflect the new Payment Percentage.

All other claim processing policies and procedures of the Trust remain unchanged.

Should you have any questions or concerns, please do not hesitate to contact me.

Yours very truly,

La Maxim