

ASR U.S. Litigation Settlement Program Overview

This United States Settlement Program (“the U.S. Program”) was designed by DePuy Orthopaedics, Inc. (“DePuy”) and a Court-appointed committee of plaintiffs’ lawyers to compensate eligible ASR patients in the United States who had surgery to replace their ASR™ XL Acetabular Hip System or ASR™ Hip Resurfacing System, known as revision surgery, on or before August 31, 2013. Below is a brief description of the U.S. Program. More detailed information is available at the Claim Processor’s website, www.USASRHipSettlement.com.

Eligibility

If you are an ASR patient, you must meet the following qualifications to participate in the U.S. Program:

- You must be a United States citizen or a legal resident of the United States;
- You must have undergone surgery to implant an ASR™ XL Acetabular Hip System or ASR™ Hip Resurfacing System (“ASR”) at a hospital in the United States or at a U.S. Military Hospital;
- You must have had the ASR in place for at least 180 days; and
- You must have undergone surgery to remove the ASR for reasons related to the recall on or before August 31, 2013.

If you are not eligible for the U.S. Program, your legal rights, if any, are not affected by this U.S. Program.

Qualified Patient Award Amounts

The U.S. Program is structured in two parts, Part A and Part B.

Part A – Base Award: Qualified patients will receive **one maximum Base Award of \$250,000** that is subject to potential reductions. Factors that may result in reductions to a Base Award include:

- How long your ASR was implanted;
- Whether you smoked at the time of your revision surgery;
- Whether you had a hip replacement surgery in the same hip before the ASR was implanted;
- Whether your Body Mass Index was greater than 35 when your ASR was implanted;
- Your age when your ASR was implanted; and
- For cases involving deceased patients, whether the patient passed away shortly after the ASR revision surgery for reasons unrelated to that surgery.

Part B – Supplemental Award: Qualified patients who can demonstrate that they have extraordinary injuries related to their ASR may receive a supplemental award amount that is subject to potential reductions.

For instance, you may qualify for a supplemental award if:

- You had surgeries on both hips (bilateral surgery);
- You had or will require multiple surgeries following your ASR implant surgery (re-revisions);
- You experienced extraordinary medical events associated with your revision surgery such as heart attack, stroke, pulmonary embolism, deep vein thrombosis, dislocations or foot drop; or
- You experience certain extraordinary injuries in a specified time frame in the future.

Qualifying for a Base Award in Part A does not automatically entitle a qualified patient to a supplemental award in Part B of the Program. A patient must produce medical records to support all claims for supplemental awards.

Award Determinations

The amounts of the awards will be determined by experienced professionals staffing the U.S. Program. If qualified patients disagree with the award determinations, they will have the right to appeal them within the Program. By participating in the Program, patients agree to abide by the outcome of the claims process and give up their litigation rights as to their revised hip(s).

Enrollment Documents Required to Participate

Enrollment forms will be available shortly on the Claims Processor's website www.USASRHipSettlement.com.

If you are an eligible patient, you or your lawyer must submit the following documents to the Claims Processor no later than April 1, 2014, in order to participate in the U.S. Program:

- Required forms that are available from the Claims Processor, including the Enrollment Form and a Claims Package;
- Medical records demonstrating that you were implanted with an ASR, as well as additional medical records pertaining to the surgeries implanting and removing the ASR; and
- A Release and Dismissal Stipulation, signed by the patient (and, under some circumstances, by any other individual who may have an interest in the claim), which becomes operative upon your receiving an award under the program.

After you submit these documents, the Claims Processor will determine whether you qualify to participate in the U.S. Program.

Additional Information

ASR patients are required to register their claims by January 6, 2014. At least 94% of those patients must enroll in the U.S. Program by April 1, 2014, and qualify to participate for DePuy to be required to fund the U.S. Program.

DePuy will be responsible for most healthcare insurance liens for medical costs that are directly associated with the revision surgery.

Deadlines

- **January 6, 2014:** Registration of all ASR patient claims
- **April 1, 2014:** Submission of claims packages and enrollment documents to the Claims Processor for all eligible U.S. patients seeking to participate in the U.S. Program

If you have a lawyer: Your lawyer will contact you shortly to provide additional information about the U.S. Program and what you need to provide to qualify for the U.S. Program.

If you do not have a lawyer: You do not need a lawyer to participate in the U.S. Program. You may seek additional information and assistance from the Claims Processor, the independent organization set up to administer the U.S. Program, at www.USASRHipSettlement.com or by calling (877) 391-3169.

Contact Information

You can contact the Claims Processor for the U.S. Program at www.USASRHipSettlement.com or by calling (877) 391-3169.