

COURT APPROVED PROTOCOL
Procedures for Recent HCV Diagnosis Claims
Pursuant to Article 5.01(1)(d) of the Settlement Agreement

1. The Administrator shall consider applications made after the June 30, 2010 first claim deadline in circumstances where the HCV Infected Class Member first learned of his or her infection with HCV within three years prior to the date the claimant first advised the Administrator of a potential claim (such circumstances to be referred to as a “Recent HCV Diagnosis”) provided the claimant submits a signed statement to that effect and an HCV antibody test report dated within the three year timeframe.
2. If an application has not already been received by the Administrator, and the Administrator has reason to believe HCV Infected Class Member first learned of his or her infection with HCV within three years prior to the date the claimant first advised the Administrator of a potential claim, the Administrator shall notify the claimant in writing that the deadline to deliver the application will be ninety (90) days from the date of the Administrator’s written notification. After the expiration of ninety (90) days from the date of the Administrator’s written notification to the claimant, the Administrator shall process the claim as denied.
3. The Administrator shall process the Recent HCV Diagnosis claim and determine eligibility for compensation by applying the terms of the Settlement Agreement Court Approved Protocols in place at the time of processing.
4. If, during the processing of the Recent HCV Diagnosis claim, the Administrator becomes aware of information which causes it to believe that the HCV Infected Class Member first learned of his or her HCV infection more than three years prior to the date that the claimant first advised the Administrator of a potential claim, the Administrator shall reject the claim and the Administrator shall:

a. notify the claimant in writing that the Recent HCV Diagnosis claim is rejected based on the failure to satisfy the Administrator that the HCV Infected Class Member first learned of his or her infection with HCV in the three years preceding the date the claimant first advised the Administrator of a potential claim and shall indicate the information on which the decision is based; and

b. advise the claimant of the right to appeal as provided in the Settlement Agreement.

5. Where the Administrator rejects a Recent HCV Diagnosis claim in accordance with paragraph 3 of this Protocol, the claimant will not be estopped from seeking to advance the claim under any other Court Approved Protocol or Court order which hereafter issues.