

MPQ POLICY – APPROVED NOVEMBER 6, 2003

1. **ELIGIBILITY FOR AUDIT** – In those instances where the Trust has reasonable grounds to believe that a claim or group of claims for Matrix Compensation Benefits has not been submitted in accordance with the Settlement Agreement, reflects any of the practices determined inappropriate by the Court in Pretrial Order No. 2640 or any Order of the Court, contains misrepresentations of material fact or suffers from any other circumstance questioning the legitimacy of the claim, the Trust will not submit the claim to audit but instead will seek the additional information needed to ascertain the validity of the claim.
2. **ISSUANCE OF MEDICAL PRACTICES QUESTIONNAIRE** - In those instances when the claim is ineligible for audit due to concerns about the Attesting Physician's diagnosis, including but not limited to concerns about the steps taken to make the diagnosis as recorded on Part II of the Green Form, the Trust will issue to the claimant a claim-specific Medical Practices Questionnaire ("MPQ") for completion by the claimant's Attesting Physician. If the claimant is represented by

counsel, the MPQ will be sent to the claimant's counsel. If the claimant is a pro se claimant, the MPQ will be sent to the claimant.

3. **SETTING AND EXTENDING DEADLINES** – When the Trust first requests that a claimant have an Attesting Physician complete an MPQ for a claim, it will set forth in the accompanying letter to claimant's counsel an "Initial Compliance Date," which is the deadline for responding to the MPQ. A claimant may obtain a single reasonable extension of this Initial Compliance Date by making a written request for extension addressed to the Trust's Special Counsel at least fifteen (15) days before the Initial Compliance Date. Special Counsel shall promptly acknowledge receipt of such requests and shall inform the requesting claimant of the new compliance date ("Extended Compliance Date") that has been established in response to the extension request. Absent unusual circumstances, Special Counsel will ordinarily grant a timely request for an extension of the Initial Compliance Date.
4. **ALTERNATIVES TO ANSWERING THE MPQ** – Attesting Physicians may, as an alternative to answering the MPQ and prior to the Initial or Extended Compliance Date, whichever is applicable, appear

voluntarily and testify at a deposition upon oral examination and voluntarily produce those documents requested by the Trust. An Attesting Physician opting to testify and produce documents in lieu of answering the MPQ is required to answer all questions relating to the validity of all pending claims, not merely the questions set forth in the MPQ. An Attesting Physician opting to testify and produce documents in lieu of answering the MPQ is required to stipulate in advance of the deposition that the answers provided shall apply to each and every pending claim that was subject to a pending MPQ. The Trust will presume that claimants and their Attesting Physicians have elected to provide written responses to the MPQ unless it receives a timely written election from the Attesting Physician to submit to deposition and produce documents in lieu of responding to the MPQ.

5. **FAILURE TO RESPOND** -- In the event that the Trust neither deposes the Attesting Physician nor receives a completed MPQ by the Initial or Extended Compliance Date, whichever is applicable, the Trust shall DENY the claims in accordance with the provisions of Section VI.E.3 of the Settlement Agreement.

6. ANALYSIS OF RESPONSES -- After the Trust receives responses to the MPQ and/or deposes the Attesting Physician and reviews produced documents, it will analyze the information, together with such additional information as may be reasonably requested or otherwise available to the Trust, to determine whether a claim or group of claims for Matrix Compensation Benefits has not been submitted in accordance with the Settlement Agreement, reflects any of the practices determined inappropriate by the Court in Pretrial Order No. 2640 or any Order of the Court, contains misrepresentations of material fact or suffers from any other circumstance questioning the legitimacy of the claim.