

SULZER SETTLEMENT TRUST CLAIMS ADMINISTRATOR PROCEDURE			
CAP No.	5	Effective Date	April 29, 2002
SUBJECT	Direct Payment of Attorney Fee Benefits from Plaintiffs' Counsel Sub-Fund When Multiple Attorneys Represent a Class Member		

1. **Purpose.** The Class Action Settlement Agreement in *In re Sulzer Hip Prosthesis and Knee Prosthesis Product Liability Litigation* provides for payment, in certain circumstances, of Class Members' Attorneys' Fees. [SA § 2.2(e), 5.1, *et seq.*] These settlement benefits, from the Plaintiffs' Counsel Sub-Fund, offset the obligation of an eligible Class Member to the Class Member's Plaintiff's Counsel. [SA § 5.1] Payments from the Plaintiff's Counsel Sub-Fund "shall be paid directly to the applicable Plaintiffs' Counsel." [SA § 5.2] The purpose of this CAP is to clarify the process for payment of Attorneys' Fees from the Plaintiffs' Counsel Sub-Fund, so that payments from the Plaintiffs' Counsel Sub-Fund are not delayed.

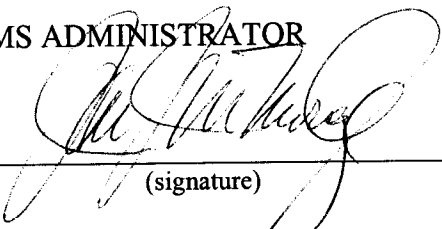
2. **Direct Payment of Attorney Fee Benefits.** For a Class Member who is represented by counsel and who is entitled to benefits from the Plaintiffs' Counsel Sub-Fund, the Claims Administrator shall make payment of those benefits directly to the attorney or attorneys representing a Class Member. At the time of such direct payment to an attorney or attorneys, the Claims Administrator shall notify the Class Member that such payment has been paid as an offset against the Class Member's attorney fee obligation to the attorney or attorneys.

3. **Determination of Class Member Representation.** The Claims Administrator shall deem a Class Member to be represented by an attorney if the Class Member or his/her attorney submits (i) a Claim Form, signed by the Class Member, indicating such representation or, (ii) another appropriate document, signed by the Class Member, identifying the attorney as his/her counsel. If an attorney submits a document, as described in (ii) of this section, the attorney shall also affirmatively represent that he/she has, on the date the attorney submits the document to the Claims Administrator, a valid agreement to represent the Class Member in connection with the Class Member's claim for benefits. If a Claim does not contain evidence, as described in (i) and (ii) above, that a Class Member acknowledges representation by an attorney or attorneys who claim to represent a Class Member, the Claims Administrator shall seek written confirmation from the Class Member of the claimed representation.

4. **Duration of this CAP.** This CAP shall apply to all Claims processed or paid after the Effective Date stated above and shall terminate upon the earlier of: (i) cancellation or modification of this CAP by the Claims Administrator; or (ii) an order of the Court canceling or modifying the terms of this CAP.

APPROVED:


CLAIMS ADMINISTRATOR

By: 
(signature)

Name: JAMES J. McMONAGLE
(printed or typed)

Date: APRIL 29, 2002

CLASS COUNSEL

By: 
(signature)

Name: R. ERIC KENNEDY
(printed or typed)

Date: APRIL 29, 2002