UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: SULZER HIP PROSTHESIS AND KNEE PROSTHESIS PRODUCT LIABILITY LITIGATION	)	**Civil Action No.: 01-CV-9000**
	)	
	)	**ALL CASES**
	)	
This document relates to: *Nicole Aune*	)	**(MDL No. 1401)**
	)	
	)	**Judge Kathleen M. O'Malley**

NOTICE OF SPECIAL MASTER DETERMINATION

Class Member Nicole Aune, by and through her attorney Randall G. Phillips, Esq. ("Appellant"), appealed the decision of the Claims Administrator ("Appellee") in rendering a Final Determination dated December 2, 2003 on Appellant's claim for Extraordinary Injury Fund ("EIF") benefits from the Sulzer Settlement Trust.

Appellant appealed the decision of the Appellee, and contends that Appellee erred in his decision to award EIF Matrix Level IV and V benefits in the amount of Zero Dollars ($0.00) to Appellant.

The factual findings of this matter are as follows:

1. Appellant submitted several claims for EIF Matrix Level IV and V benefits.

2. Appellant seeks EIF Matrix Level IV benefits for an infection, dislocation, non-union of a trochanteric osteotomy, and abductor mechanism disruption on July 5, 2000, and Matrix Level V claims for a permanent injury due to infection.

3. Appellee issued Preliminary and Final Determinations that Appellant was not eligible for EIF Matrix Level IV and V benefits.