



**IN RE: SULZER HIP PROSTHESIS  
AND KNEE PROSTHESIS PRODUCT  
LIABILITY LITIGATION**

Notice of Special Master Determination

Thelma M. Brignac

Claim Number

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After a thorough review of the appeal submitted by the Appellant and the response submitted by the Appellee, the Special Master finds as follows:

Appellee did not abuse his discretion in denying Appellant's claim for APRS and Derivative Claimant benefits.

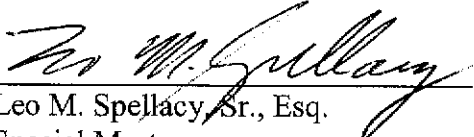
In order to be eligible for APRS benefits, Appellant had to submit proof that she was implanted with an Affected Product, as described in the Settlement Agreement, and that the revision surgery was not due to trauma. Although Appellant received two letters from Appellee detailing the problem with her claim, she failed to timely provide the lot number associated with the tibial baseplate component of the prosthetic implant.

Appellee did not have the requisite information at the time of his Final Determination.

By order of the Special Master, Appellee's Final Determination of Zero Dollars (\$0.00) is hereby AFFIRMED.

Appellant and Appellee have fifteen days from the date of this decision to submit to the Court, for the Special Master's review, a fact or principle they believe the Special Master did not consider in rendering a decision. If no response is received by July 1, 2003, then the Special Master's Decision is final and may not be further contested or appealed.

June 16, 2003  
Date

  
Leo M. Spellacy Sr., Esq.  
Special Master