

SULZER SETTLEMENT TRUST CLAIMS ADMINISTRATOR PROCEDURE			
CAP No.	10	Effective Date	July 10, 2002
SUBJECT	Rescission of Opt-Out by Submitting Claim for Settlement Benefits		

1. **Purpose.** The Class Action Settlement Agreement in *In re Sulzer Hip Prosthesis and Knee Prosthesis Product Liability Litigation* ("Settlement Agreement") provides that Class Members may "opt out" of the Settlement if they do so by the deadline and in the manner specified in the Settlement Agreement. [S.A. § 3.8(a)]. The purpose of this CAP is to identify under the circumstances in which the Claims Administrator shall process a Claim for benefits where the Claimant also submitted an Opt-Out notice. Capitalized terms not otherwise defined in this CAP shall have the meanings given them in the Settlement Agreement.

2. **Circumstances Rendering a Purported Opt-Out Notice Rescinded.** If a Class Member submitted a document that purports to be an Opt-Out notice and has also submitted a Claim for Settlement benefits, the Claims Administrator shall process the Class Member's Claim for Settlement benefits without regard to the purported Opt-Out submission. The Claims Administrator shall process such a Class Member's Claim for benefits only if:

- (a) the Claim includes the Class Member's signature on either the Claim Form or on the Guaranteed Payment Option election section of an Orange Form; and
- (b) the Class Member has not already executed a release in favor of any of the Released Parties of any Settled Claim.

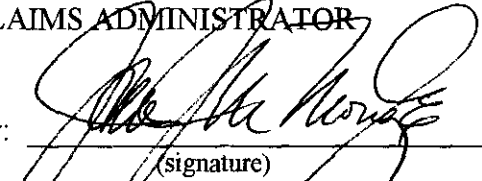
3. **Provision by Sulzer of Settled and Resolved Claims to Claims Administrator.** Sulzer shall provide to the Claims Administrator a complete list of all Class Members with whom Sulzer has previously settled or resolved a claim that would, but for such settlement, be a Settled Claim within the intent of the Settlement Agreement ("Previously Settled Cases"). Before processing or directing payment of any Claim for Settlement benefits, the Claims Administrator shall consult the list of Previously Settled Cases and shall disqualify the Claim of any person who makes a Claim for Settlement Benefits and is on the list of Previously Settled Cases.

4. **Procedure Where Opt-Out Submits Unsigned Claim for Settlement Benefits.** If a Class Member who has submitted an Opt-Out notice submits a Claim for Settlement benefits, and the Claim for Settlement benefits is not signed in the manner prescribed in Paragraph 2 of this CAP, the Claims Administrator shall process the Claim for Settlement benefits as if it were a deficient Claim and provide an opportunity for the Class Member to cure that deficiency, and any other deficiencies, in the manner provided by Section 4.6(b) of the Settlement Agreement. Further, the Claims Administrator shall note in his notice to the Class Member of Claim deficiencies, that the Class Member has submitted an Opt-Out notice and that by signing a Claim for Settlement benefits, the Claims Administrator shall treat the Class Member as having rescinded his or her Opt-Out election.

5. **Duration of this CAP.** This CAP shall be effective from 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

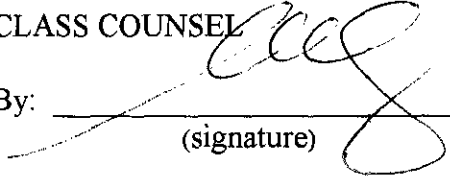
By: 

(signature)

Name: James J. McMonagle
(printed or typed)

Date: July 10, 2002

CLASS COUNSEL

By: 

(signature)

Name: R. Eric Kennedy
(printed or typed)

Date: July 10, 2002