

SULZER SETTLEMENT TRUST CLAIMS ADMINISTRATOR PROCEDURE			
CAP No.	3	Effective Date	July 10, 2002
SUBJECT	Payment of Settlement Benefit Checks to Class Members and to Attorneys Representing Class Members		

1. **Purpose.** A Class Member who claims benefits under the Class Action Settlement Agreement in *In re Sulzer Hip Prosthesis and Knee Prosthesis Product Liability Litigation* ("Settlement Agreement") may have a contractual relationship with an attorney for fees and for costs advanced on the Class Member's behalf. This CAP clarifies how the Claims Administrator will pay benefits from the Affected Product Revision Surgery Fund and the Extraordinary Injury Fund to Class Members and to their counsel.

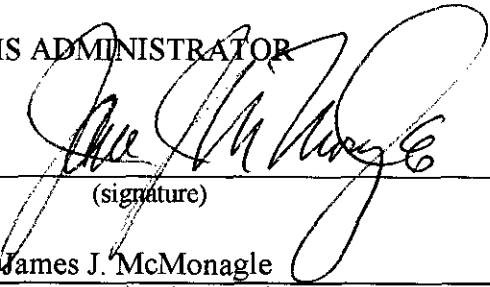
2. **Joint Payments to Class Members and their Counsel.** For a Class Member, who is represented by counsel, and who is entitled to benefits from the Affected Product Revision Surgery Fund or the Extraordinary Injury Fund, the Claims Administrator shall make payment of those benefits jointly to the Class Member and any attorney or attorneys representing a Class Member. Apart from administering the limited Attorney Fee benefits provided in the Settlement Agreement, see Article 5 (Attorneys' Fees) and Section 2.2(e)(Professional Services Fund and Plaintiffs' Counsel Sub-Fund), the Claims Administrator and the Sulzer Settlement Trust, have no role to play in performing accountings for the disbursement of settlement benefits as between Class Members and their counsel.

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:

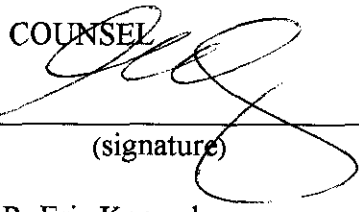
CLAIMS ADMINISTRATOR

By: 
_____ (signature)

Name: James J. McMonagle
_____ (printed or typed)

Date: _____

CLASS COUNSEL

By: 
_____ (signature)

Name: R. Eric Kennedy
_____ (printed or typed)

Date: July 10, 2002
