

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: SULZER HIP PROSTHESIS)	Civil Action No.: 01-CV-9000
AND KNEE PROSTHESIS PRODUCT)	
LIABILITY LITIGATION)	ALL CASES
)	
<i>This document relates to:</i>)	(MDL No. 1401)
<i>Deloris Laurie-Maston</i>)	
)	Judge Kathleen M. O'Malley

NOTICE OF SPECIAL MASTER DETERMINATION

Class Member Deloris Laurie-Maston, by and through her attorney Graham Hill, Esq. of the Law Firm Hill Parker & Roberson (“Appellant”), appealed the decision of the Claims Administrator (“Appellee”) in rendering a Final Determination dated January 21, 2004 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 deny Appellant’s claim for EIF Matrix Level IV and IX benefits.

The factual findings of this matter are as follows:

1. Appellant submitted a claim for EIF Matrix Level IV and IX benefits.
2. Appellant seeks EIF benefits for dislocations that occurred after being implanted with an Affected Product.
3. Appellee issued Preliminary and Final Determinations that Appellant was not eligible for EIF Matrix Level IV and IX benefits.

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LIABILITY LITIGATION**

Notice of Special Master Determination

Deloris Laurie-Maston

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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:

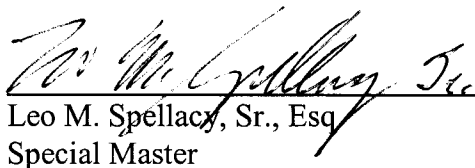
CAP 30 §3 requires that a Class member who desires to note an appeal must submit a document that identifies the provision of the Settlement Agreement or CAP that supports his or her claim, attach a narrative explanation in support of his or her position, and submit copies of any documents previously supplied to the Claims Administrator as proof of his or her eligibility for benefits.

Appellant has not submitted an appeal that conforms to the requirements of CAP 30. Her appeal does not include any documents proving her eligibility for benefits. An undated Physician Declaration Form does is not sufficient evidence, especially since only pages 1, 2, 3, 10 and 11 were submitted (which pages do not address a Matrix Level IV claim nor give the dates of the dislocations). There were no medical records submitted that support her claim.

Because there was no evidence for the Special Master to consider, Appellant's appeal is hereby DISMISSED, and Appellee's January 21, 2004 Final Determination of ineligibility for Appellant's claim for EIF Matrix Level IV and IX benefits is final and may not be further contested or appealed.

MAY 04 2004

Date


Leo M. Spellacy, Sr., Esq.
Special Master