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2004 JAN 23 PM 1:09
NORTHERN DISTRICT OF OHIO
CLEVELAND

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: *Carla E. Sansom*	)	**(MDL No. 1401)**
	)	**Judge Kathleen M. O'Malley**

NOTICE OF SPECIAL MASTER DETERMINATION

Class Member Carla E. Sansom, by and through her attorneys Harold G. Christensen, Esq. and Julianne P. Blanch, Esq. of the Law Firm Snow, Christensen & Martineau ("Appellant"), appealed the decision of the Claims Administrator ("Appellee") in rendering a Final Determination dated November 5, 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 I benefits in the amount of Zero Dollars ($0.00) to Appellant.

The factual findings of this matter are as follows:

1. Appellant submitted a claim for EIF Matrix Level I benefits.

2. Appellant seeks EIF benefits for an alleged revision surgery indicated but for a medical condition.

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

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

> Appellant's appeal addresses a Matrix Level V and Matrix Level IX claim. However, Appellee has not issued Final Determinations on either of those claims. Therefore, the Special Master will not consider those claims pursuant to Section 4.6 (f) of the Settlement Agreement, which provides that only Final Determinations of the Claims Administrator may be appealed.
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> The Special Master shall review Final Determinations only for an abuse of discretion by the Appellee, Claims Administrator.
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> By Order of the United States District Court, the Claims Administrator shall evaluate claims for EIF benefits according to the policies and procedures set out in Claims Administrator Procedure ("CAP") 27