

MINUTES OF QUARTERLY NOVEMBER 15, 2011 IN-PERSON MEETING
OF THE PERRINE DUPONT SETTLEMENT FINANCE COMMITTEE

The meeting came to order in the Jury Room of the Honorable Thomas A. Bedell, at the Harrison County, West Virginia Courthouse on November 15, 2011 at 8:30 a.m. Attending in person were Stephanie Thacker, the DuPont Representative on the Finance Committee, Perry Jones, a Court-appointed proxy for Ms. Virginia Buchanan, the Class Counsel Representative on the Finance Committee, Ed Gentle, the Claims Administrator, and Meredith McCarthy, the Guardian Ad Litem for children.

The Claims Administrator and the Finance Committee being present or duly represented, the Claims Administrator declared the meeting duly convened and ready to transact business.

The first matter of business to come before the meeting were the proposed minutes of the previous August 15, 2011 Quarterly Finance Committee Meeting. Upon motion duly made and seconded, and following such discussion as came before the meeting, the Claims Administrator and the Finance Committee RESOLVED to approve the minutes.

The draft Financial Statements for the Perrine DuPont Property Remediation Qualified Settlement Fund (the "Remediation Fund") and the Perrine DuPont Medical Monitoring Fund (the "Medical Monitoring Fund"), collectively the "Two Funds", for the period ended September 30, 2011, provided on November 4, 2011, and attached to these Minutes as Exhibit A were reviewed.

Ed provided the following overview of the financial results of the Two Funds for the Third Quarter of 2011.

The asset balance, at September 30, 2011, on an accrual basis for the Two Funds was \$36.8 million, of which \$34.9 million was contained in the Remediation Fund and \$1.9 million was contained in the Medical Monitoring Fund.

Looking at receipts and disbursements, receipts for the Two Funds for the Third Quarter of 2011 equaled \$2,800, for a 0.03% rate of return. Combined disbursements for the Two Funds equaled \$1,635,232, of which \$956,800 was for \$400 Medical Monitoring Verified Registrant Payments. Subtracting this amount from overall disbursements results in total disbursements from the Two Funds for overhead for the Quarter equal to \$678,432.

Looking at the Two Funds separately, the Remediation Fund had \$2,213 in income, for a rate of return of 0.03%, and overhead disbursements of \$304,056. The Medical Monitoring Fund's income equaled \$549, for a 0.08% rate of return. Medical Monitoring Fund disbursements equaled \$1,331,176, of which \$956,800 was for the Verified Registrant \$400 payments, for net overhead expenditures of \$374,376.

Comparing the budget for the Third Quarter alone with actual results, actual overhead expenditures equaled \$678,432, compared to a budget of \$1,227,012, so that expenditures equaled 55.29% of budget. Looking at all three Quarters of 2011, actual overhead outlay equaled \$1,450,043 compared to a budget of \$2,264,232, with overhead expenditures equal to 64.04% of budget.

Looking at the Remediation Fund alone, for the Third Quarter only, whose budget included inconvenience and annoyance fees to claimants which did not begin during the period, outlay for overhead was \$304,056, compared to a budget of \$820,961, so that overhead outlay equaled 37.04% of budget. The Remediation Fund results for all three Quarters combined was \$710,030 for overhead, compared to a budget of \$1,348,970, so that expenditures equaled 52.63% of budget.

Looking at the Medical Monitoring Fund alone, for the Third Quarter only, expenditures for overhead equaled \$374,376, compared to a budget of \$406,051, so that outlay equaled 92.20% of budget. The Medical Monitoring Fund results for the three Quarters combined were \$745,373 for overhead, compared to a budget of \$915,262, so that outlay equaled 81.44% of budget.

The wide disparity between actuals and results for the Remediation Fund for the Quarter is attributed to annoyance and inconvenience payments not commencing until November 2011.

The disparity between budget and actuals for the Medical Monitoring Fund for the Quarter was minimal. Although database loading and programming continued to be well over budget, and Finance Committee fees and expenses greatly exceeded the budget due to the CT Scan debate, these overpayments were set off by the Medical Monitoring Third Party Administrator payments being below budget.

There then followed a general discussion concerning the Settlement and possible adjustments to the Financial Statements. Stephanie asked how CTIA, the Medical Monitoring Third Party Administrator is paid. Ed explained that this is set forth in the Court-approved CTIA Agreement, and CTIA will be paid for two things: its services and expenses, and for payments to Medical Providers. Ed confirmed that Medical Provider payments will be reported on a granular basis, so that the Settlement and the Finance Committee can monitor the number of procedures that are carried out and their costs.

Stephanie had the following suggested adjustments to the Financial Statements, which were agreed to: Looking at page 6, Stephanie wondered if footnote 2 is still necessary, since it may have been handled in a previous Quarter. This was subsequently examined. Also, on the same page, the Town Hall Meeting during the Quarter was only for property clean-up. Therefore, this line item needs to be split into two sections: one for the Town Meeting chargeable only to the Remediation Fund and one for Claimants Advisory Committee Meetings, whose expenditures would be split between the Two Funds. Stephanie asked if the \$1,060 for videotaping of the Property Town Meeting was charged to the Remediation Fund only. Looking at footnote 5 on page 7, the answer is yes, so that no adjustment for this item apparently is required. It was agreed that all of the footnotes would be examined to make sure that they have not been mistakenly carried over from previous Financial Statements.

The so-revised Financial Statement is in Exhibit B to these minutes.

Settlement related issues were then discussed, including the Medical Monitoring Program and the Property Remediation Program.

There being no further business to come before the meeting, it adjourned at approximately 8:55 a.m.



Edgar C. Gentle, III
Claims Administrator