### **Purdue Personal Injury Trust**

### Frequently Asked Questions (FAQs)

### Non-NAS PI Claims<sup>1</sup>

These FAQs are meant to simplify the description of the Non-NAS PI Claim Form submission and review process to facilitate your understanding and respond to certain questions that have been frequently asked; they are not all inclusive. These FAQs contain a much simplified explanation of the information contained in the Plan, the PI Trust and the PI Trust distribution procedures (the "Non-NAS PI TDP"), which documents are controlling. Furthermore, these FAQs will evolve and be edited as the PI Trust administration proceeds.

### 1. Why did I receive the Notice and a Non-NAS PI Claim Form?

On April 15, 2025, the United States Bankruptcy Court for the Southern District of New York entered an order appointing the PI Claims Administrator, authorizing, among other things, the establishment of the deadline to submit Non-NAS PI Claim Forms, authorizing claims objections procedures, and granting related relief. That order directed Kroll, as the Debtors' Claims and Noticing Agent, to distribute the notice and Non-NAS PI Claim Forms to Holders of Non-NAS PI Claims. That order also authorized the PI Trust to review and analyze all proofs of claim filed in the Chapter 11 Cases for PI Claims and to request from the Holders of PI Claims (or from their counsel) information and/or documentation as may be necessary to substantiate the injuries alleged in the proofs of claim filed by such Holders and/or the requisite connection to the Debtors, including requiring each Holder of a Non-NASPI Claim to complete and submit the Non-NAS PI Claim Form.

### 2. When is the Plan Effective Date?

The Effective Date of the Plan has not been set yet, and may only occur if the Plan is confirmed. A hearing on confirmation of the Plan is currently scheduled to commence on November 10, 2025, unless rescheduled.

### 3. What is a Non-NAS PI Claim?

A Non-NAS PI Claim means a Claim against any Debtor that is for alleged opioid-related personal injury or other similar opioid-related Cause of Action against any Debtor, in each case, that arose prior to the Petition Date, and that is not (i) a Claim brought on behalf of children who suffered

<sup>&</sup>lt;sup>1</sup> Capitalized terms not defined in these FAQs have the meaning in the Thirteenth Amended Joint Chapter 11 Plan of Reorganization of Purdue Pharma L.P. and Its Affiliated Debtors (as modified, amended, or supplemented from time to time, the "Plan") or the Purdue PI Trust Distribution Procedures for Non-NAS PI Channeled Claims (the "PI TDP").

from neonatal abstinence syndrome ("NAS") or similar injuries resulting from their perinatal exposure to opioid products (ii) a Claim held by a private health insurer, an employer-sponsored health plan, a union health and welfare fund, or any other provider of healthcare benefits, , or (iii) a Claim held by a Hospital or a non-Hospital provider of healthcare treatment services or any social services or (iv) a Claim held by a Domestic Governmental Entity.

### 4. Who qualifies to file a Non-NAS PI Claim Form?

In order to be eligible for a Distribution from the **PI Trust** for a Non-NAS PI Claim, the Holder of such Claim is, among other things, required to:

- a. Hold such Non-NAS PI Claim against one or more Debtors;
- b. Provide proof demonstrating usage prior to the September 15, 2019 Petition Date of a qualifying prescribed opioid listed in Exhibit C to the Non-NAS PI TDP and also listed on Pages 9 and 10 of the Non-NAS PI Claim Form (a "Qualifying Opioid"); and
- c. Have timely filed an individual personal injury Proof of Claim for such Non-NAS PI Claim against one or more Debtors in the Chapter 11 Cases. If the Proof of Claim was filed before September 21, 2021, the PI Claims Administrator will consider the Proof of Claim timely for purposes of the Non-NAS PI TDP.

## 5. Must I have already filed a Proof of Claim with the Bankruptcy Court against the Debtors to submit the Non-NAS PI Claim Form to the PI Trust?

Yes. A Proof of Claim against one or more of the Debtors must have been timely filed. If the Proof of Claim was filed before September 21, 2021, the PI Claims Administrator will consider the Proof of Claim timely for purposes of the Non-NAS PI TDP.

### 6. Is there a deadline to submit the Non-NAS PI Claim Form?

**Yes.** Non-NAS PI Claim Forms must be submitted to the PI Trust so that it is received by the PI Claims Administrator on or before July 28, 2025 at 11:59 p.m. (Eastern Time), which is sixty (60) days after the notice of the PI Claims Deadline was distributed to Holders of PI Claims.

# 7. What if I choose not to submit a Non-NAS PI Claim Form so that it is received by the PI Claims Administrator on or before July 28, 2025?

If you do not submit the Non-NAS PI Claim Form (along with all the required information described in the Non-NAS PI TDP) so that it is received by the PI Claims Administrator on or before July 28, 2025, at 11:59 p.m. (Eastern Time), <u>you may lose the right to receive any payment</u>, even if you timely filed a Proof of Claim, and your Claim may be objected to, <u>denied</u>, or <u>disallowed</u>.

## 8. I timely filed a Proof of Claim, but I'm not sure if I qualify under the Non-NAS PI TDP. Should I complete and submit the Non-NAS PI Claim Form?

As the Non-NAS PI Claim Form requests information to help the PI Claims Administrator determine eligibility, we encourage all individuals who timely filed a Proof of Claim to complete the Non-NAS PI Claim Form along with all required information outlined in the Non-NAS PI Claim Form so that it is received by July 28, 2025, at 11:59 p.m. (Eastern Time). Failure to do so may result in the Non-NAS PI Claim potentially being the subject of an objection, disallowance, or denial. As a neutral Claims Administrator, we can express no opinion on whether such claims will be allowed. Claims eligibility will not be determined until after July 28, 2025, has passed, all Non-NAS PI Claim Forms have been reviewed, and deficient claims have been given the opportunity to cure any deficiency, as described in the Non-NAS PI TDP.

### 9. Can the PI Trust answer any questions about the solicitation package that I received?

No..

If you have any questions on how to properly complete the Ballot that was sent to you, please contact the Solicitation Agent at (844) 217-0912 (U.S./Canada, toll-free) or +1 (347) 859-8093 (international) or by e-mail at purduepharmainfo@kroll.com (with "Purdue Pharma Solicitation Inquiry" in the subject line). You may also contact the Creditors' Committee with any questions at <a href="mailto:PurdueCreditorInfo@AkinGump.com">PurdueCreditorInfo@AkinGump.com</a>. Note that the Solicitation Agent and the Creditors' Committee are not authorized to, and will not, provide you with legal advice.

### SUBMITTING A NON-NAS PI CLAIM FORM: Documents & Signing

### 10. How do I submit my Non-NAS PI Claim Form?

If you were represented by an attorney in Purdue's Chapter 11 Cases, please contact your attorney regarding submitting your Non-NAS PI Claim Form. If you are not represented, or are no longer represented, by an attorney and are therefore submitting your Non-NAS PI Claim Form as pro se claimant, you can submit your Non-NAS PI Claim Form by:

- a. Completing the Non-NAS PI Claim Form, and evidence in support of such Claim, online via this website on the "Non-NAS PI Claims" tab of this website, or
- b. Downloading the PI Trust Claim Form on the Non-NAS PI Claims Tab of this website and submitting such Form and evidence by (i) e-mail to <u>purduepitrust@purduepitrust.com</u>, (ii) mail toPurdue PI Trust, PO Box 361930, Hoover, AL 35236-1930, or (iii) facsimile to 205-716-2364.

### 11. What must I include in my submission?

You must include the following:

- 1. A completed and signed Non-NAS PI Claim Form;
- 2. Proof demonstrating usage prior to the September 15, 2019 Petition Date of a qualifying prescribed opioid (listed in Exhibit C to the Non-NAS PI TDP);
- 3. A completed and signed HIPAA Release Form (the form of which can be found in the "Non-NAS PI Claims" tab of this website); and
- 4. If the Non-NAS PI Claim concerns the injuries of a decedent of the Holder of such Claim, a certified death certificate AND:
  - a. If an estate is opened, provide valid estate documents (as described in Exhibit D to the Non-NAS PI TDP);
    - b. If an estate has not been opened, or is now closed, the Heirship Declaration (as described in Exhibit D of the Non-NAS PI TDP, the form of which can be found in the "Non-NAS PI Claims" tab of this website).

## 12. I already attached proof of usage to the Proof of Claim I timely filed. Do I need to submit all of this information again?

No. If you timely filed a Proof of Claim and submitted proof demonstrating usage of a qualifying prescribed opioid with that Proof of Claim by including the types of evidence set forth in § 5 of the Non-NAS PI TDP, then you do not need to submit the same documents along with the Non-NAS PI Claim Form. However, if you timely filed a Proof of Claim and did not submit the documentation listed in § 5 of the Non-NAS PI TDP, then you must submit such documentation along with the Non-NAS PI Claim Form so as to be received by July 28, 2025 at 11:59 p.m. (Eastern Time).

### 13. How long do I have to submit a Non-NAS PI Claim Form?

Non-NAS PI Claim Forms must be submitted so as to be actually received by the PI Claims Administrator on or before July 28, 2025 at 11:59 p.m. (Eastern Time), which is sixty (60) days after the notice of such deadline was distributed to Holders of Non-NAS PI Claims.

### 14. Is a HIPAA form required to be submitted with every Non-NAS PI Claim Form?

**Yes**. The Non-NAS PI TDP requires that a signed HIPAA form be submitted with your Non-NAS PI Claim Form. The HIPAA Release Form can be found in the "Non-NAS PI Claims" tab of this

website) so as to be received by the PI Claims Administrator on or before July 28, 2025, at 11:59 p.m. (Eastern Time).

### 15. By when am I required to submit an Heirship Declaration, if applicable?

You must submit the Heirship Declaration at the same time that you submit your Non-NAS PI Claim Form as part of the accompanying documentation if your Non-NAS PI Claim concerns the injuries of a deceased claimant so as to be received by the PI Claims Administrator on or before July 28, 2025, at 11:59 p.m. (Eastern Time).

## 16. If I am a law firm that represents multiple clients, is there any way to do bulk submission through Dropbox?

**Yes**, we <u>require</u> the bulk filing approach if your law firm represents multiple claimants. Please refer to the "Law Firm Import Instructions" tab on this website.

#### SUBMITTING A NON-NAS PI CLAIM FORM FOR A DECEASED INDIVIDUAL

# 17. If I am submitting a Non-NAS PI Claim Form on behalf of a Deceased Claimant and there is no probate estate opened, do I need to complete additional documents?

**Yes.** You will need to complete, sign, and submit the Heirship Declaration (as described in Exhibit D of the Non-NAS PI TDP, the form of which can be found in the "Non-NAS PI Claims" tab of this website) so as to be received by the PI Claims Administrator on or before July 28, 2025 at 11:59 p.m. (Eastern Time).

18. If I am submitting a Non-NAS PI Claim Form on behalf of a deceased claimant and there is a probate estate opened for his/her estate, with a personal representative having been appointed, what should I put down on the Non-NAS PI Claim Form as a response to describe my relationship with the decedent?

Please indicate that you are the personal representative of the estate of the deceased claimant and provide a copy of the documentation reflecting the same.

### SUBMITTING A NON-NAS PI CLAIM FORM FOR A MINOR

19. What do I need to do if I am submitting a Non-NAS PI Claim for a Holder of a Non-NAS PI Claim who is still a minor (a "Minor PI Claimant")?

If you are submitting a Non-NAS PI Claim Form on behalf of a Minor PI Claimant, you will be responsible for submitting proof showing you have the authority to act on behalf of the Minor PI Claimant as a **Proxy**.

The Proxy is responsible for submitting, on behalf of such Minor PI Claimant, all required forms under the Non-NAS PI TDP, including the Non-NAS PI Claim Form, as well as any evidence required by the PI Trust to support such Form, and any other documentation required or requested pursuant to the Non-NAS PI TDP.

The Proxy is authorized to take, on behalf of a Minor PI Claimant, all actions under the Non-NAS PI TDP that the Minor PI Claimant would be authorized to take if the Minor PI Claimant were an adult.

### 20. Who can be a Minor PI Claimant's Proxy?

A Minor PI Claimant's custodial parent, his/her legal guardian under applicable law (a "Guardian"), or an adult providing custody and care to the minor (any of the foregoing acting on behalf of the Minor PI Claimant, the "Proxy") is authorized to make submissions on behalf of the Minor PI Claimant under the Non-NAS PI TDP.

### 21. How do I prove I am the Minor PI Claimant's Proxy?

Any purported Proxy making a submission to the PI Trust on behalf of a Minor PI Claimant must submit a Purdue Proxy Form and include along with such submission documentation of his/her authority to act on behalf of the Minor PI Claimant, consisting of the following:

- 1. If the Proxy is the Guardian of the Minor PI Claimant, then:
  - a. the court order appointing that Proxy as Guardian, or
  - b. other documents reasonably acceptable to the PI Claims Administrator as sufficient under applicable law to evidence the guardianship.
- 2. If the Proxy is the custodial parent of the Minor PI Claimant, then a sworn statement under penalty of perjury that such Proxy is the custodial parent of the Minor Claimant.
- 3. If the Proxy is neither the Guardian nor custodial parent of the Minor PI Claimant, then:
  - a. a sworn statement under penalty of perjury by the purported Proxy stating that:
    - i. he/she is providing custody and care to the Minor PI Claimant,
    - ii. how long he/she has been providing such care and custody,
    - iii. explaining his/her relationship to the Minor PI Claimant and the circumstances around the provision of care and custody,
  - b. as well as a statement and/or records from one or more of the following in support of his/her sworn statement under penalty of perjury:
    - i. The Minor PI Claimant's school
    - ii. The Proxy's landlord or property manager

- iii. The Minor PI Claimant's health provider
- iv. The Minor PI Claimant's child care provider
- v. The Proxy's placement agency
- vi. Governmental Social Services Agency
- vii. Indian Tribe Officials
- viii. The Proxy's employer

### SUBMITTING A NON-NAS PI CLAIM FORM: PROOF OF USE

# 22. I used opioids that I believe were manufactured by the Debtors but are not on the list provided in the Non-NAS PI TDP. What should I do?

Please submit the Non-NAS PI Claim Form, naming the opioids and providing proof of their use. We will then research the issue and try to determine if there is a connection between such opioid product and one or more of the Debtors, but we cannot guarantee that your claim will be Qualified under the Non-NAS PI TDP.

## 23. Will I be required to prove that the Holder of the Non-NAS PI Claim had an opioid prescription?

Yes. You must provide proof through evidence demonstrating a prescription that sets forth the name of the Holder of the Non-NAS PI Claim (or its decedent, if applicable) for an opioid that is a Qualifying Opioid prior to September 15, 2019. The types of evidence are listed in the Non-NAS PI Claim Form. Please note that for both Tier 1 and Tier 2 categories, all prescriptions must have occurred prior to September 15, 2019.

Any prescriptions dated on or after September 15, 2019 are not compliant with the terms of the Non-NAS PI TDP for evidence purposes.

### 24. What is a Qualifying Opioid?

A Qualifying Opioid is a name brand or a generic Qualifying Opioid listed in the Non-NAS PI TDP and the Non-NAS PI Claim Form. The brand Qualifying Opioids are Oxycontin, OxyFast, OxyIR, MS Contin, Dilaudid, Hysingla ER, Butrans, DHC Plus, MSIR, Palladone, Ryzolt, Oxycodone ER, and Oxycodone CR.

The generic Qualifying Opioids include morphine sulfate, and hydromorphone. The full list of generic Qualifying Opioids can be found on the "Non-NAS PI Claims" tab in both the Non-NAS PI Claim Form and the Non-NAS PI TDP.

### 25. What evidence must I submit to show use of a Qualifying Opioid?

**Evidence of Qualifying Opioid Products.** One of the following is required to demonstrate a Qualifying Opioid (listed in § 4 of the Non-NAS PI TDP):

- 1. The Holder of a Non-NAS PI Claim who provides evidence of a prescription for brand name Oxycontin, , MS Contin, Dilaudid, Hysingla ER, Butrans, DHC Plus, MSIR, OxyFast, OxyIR, Palladone, Ryzolt, Oxycodone ER, and Oxycodone CR may rely on the name alone without the necessity of a corresponding NDC number.
- 2. To qualify based on the use of one of the generic products listed in Exhibit C to § the Non-NAS PI TDP, the Holder of a Non-NAS PI Claim must present either:
  - a. The product's corresponding NDC number, which is set forth in the list in Exhibit C of the Non-NAS PI TDP (the list of NDC numbers may be supplemented as additional information becomes available); or
  - b. A notation in the record submitted by such Holder that the product was manufactured or sold by any of the Debtors

Acceptable Evidence for Establishing Use of Qualified Opioids. All Holders of Non-NAS PI Claims must demonstrate a prescription (which contains the name of the Holder of the Non-NAS PI Claim or its decedent, as applicable) and a Qualifying Opioid by submitting one of the following pieces of evidence:

- 1. Pharmacy prescription records;
- 2. Other prescription records, including without limitation:
  - a. A visit note in which the prescribing physician lists a prescription for a Qualifying Opioid, or
  - b. A signed prescription from a doctor for a prescribed Qualifying Opioid;
- 3. A historical reference to a prescribed Qualifying Opioid (which must have been created prior to September 15, 2019), including but not limited to:
  - a. A reference in contemporaneous medical records to historical use of a prescribed Qualifying Opioid,
  - b. A reference in contemporaneous substance abuse, rehabilitation, or mental health records to historical use of a prescribed Qualifying Opioid,
  - c. A reference in contemporaneous law enforcement records to historical use of a prescribed Qualifying Opioid, or
  - d. A reference in contemporaneous family law or other legal proceeding records to historical use of a prescribed Qualifying Opioid;
- 4. A photograph of the prescription bottle or packaging of a a Qualifying Opioid with the name of the Holder of the Non-NAS PI Claim (or its decedent, if applicable) as the patient listed on the prescription bottle or packaging; or
- 5. Documentation indicating that the Holder of the Non-NAS PI Claim (or its decedent, if applicable) had at least one prescription for a Qualifying Opioid supplied prior to the September 15, 2019 Petition Date through customer loyalty programs, patient assistance programs ("PAPs") or copay assistance programs provided by the Debtors or one of their successors.

The Holder of the Non-NAS PI Claim must submit evidence that establishes that he or she holds such Claim based upon exposure to a Qualifying Opioid before September 15, 2019. The PI Trust shall have discretion to determine whether this requirement has been met so as to provide

sufficient indicia of reliability that the Holder of the Non-NAS PI Claim (or its decedent, if applicable) was prescribed and used Qualifying Opioids prior to September 15, 2019.

Any Non-NAS PI Claim that does not meet the requirements of §§ 3, 4, and 5 of the Non-NAS PI TDP may be subject to an objection, disallowance, or denial.

### 26. How are Tier 1 and Tier 2 determined?

When submitting your Non-NAS PI Claim Form, you must indicate which Tier applies to your Claim.

If you apply for Tier 1, you must provide evidence that demonstrates use of a prescribed Qualifying Opioid equal to or greater than six (6) months (180 days) for a period prior to September 15, 2019. The use does not have to be consecutive, however, they cannot overlap. If the prescriptions overlap, they will only be counted once.

If you apply for Tier 2, you must provide evidence that demonstrates use of a prescribed Qualifying Opioid for at least one day prior to September 19, 2019.

## 27. Will I have to submit additional evidence after submitting the Non-NAS PI Claim Form and supporting evidence?

Potentially. Upon review of your Non-NAS PI Claim, the PI Claims Administrator will determine if the evidence submitted complies with the Non-NAS PI TDP. If the evidence is insufficient, the PI Claims Administrator will notify you of the deficiency, which may require you to submit additional evidence.

### **CLAIM REVIEW PROCESS**

# 28. Who determines if the evidence submitted with the Non-NAS PI Claim Form is considered incomplete/ deficient?

The PI Claims Administrator.

### 29. How will the PI Trust determine if the evidence supports the claim?

The Claims Administrator will review submitted claims and provided evidence to determine whether the claim is Qualified under the Non-NAS PI TDP.

### 30. Who will be assessing/auditing my claim?

One of the following will be assessing/auditing your claim:

- 1. the Claims Administrator; or
- 2. a third party retained by the Claims Administrator.

### 31. How is a determination made as to whether my Non-NAS PI Claim is compensable?

The Claims Administrator will receive, review, process, and resolve Non-NAS PI Claim Forms and Proofs of Claim in accordance with the Non-NAS PI TDP and determine whether the Claim is Qualified and therefore eligible for payment from the PI Trust. A Qualified Non-NAS PI Claim is one that satisfies all of the requirements of the Non-NAS PI TDP.

## 32. What if the PI Claims Administrator determines that my Non-NAS PI Claim Form is incomplete/deficient?

The PI Claims Administrator will send you a notice of deficiency, and you must cure the deficiency no later than thirty (30) days after the date on which the notice was sent to you. Failure to do so will result in your Claim being deficient.

### 33. What are some examples of deficiencies?

Examples of deficiencies include (i) filling out a Non-NAS PI Claim Form incorrectly or incompletely, (ii) failure to provide required forms with the Non-NAS PI Claim Form (e.g., HIPAA form, Heirship Declaration (if applicable), etc.), or (iii) other evidentiary issues (e.g., providing no evidence of qualified Purdue opioid use or the evidence provided demonstrates prescriptions after September 15, 2019).

### 34. What if I don't timely cure my deficiencies?

If you receive a notice of deficiency and do not timely cure the deficiency to the satisfaction of the PI Claims Administrator no later than thirty (30) days after the date on which the notice was sent to you, your claim will be Deficient and may be subject to an objection, disallowance or denial.

### CONFIDENTIALITY

## 35. Will the information I submit in the Non-NAS PI Claim Form and related documents be confidential?

**Yes.** Such information is intended to:

- 1. Remain confidential between you and the PI Trust and the PI Claims Administrator; and
- 2. Be protected by all applicable state and federal privileges and protections.

## 36. What about third parties hired by the PI Trust or the PI Claims Administrator to assess/audit claims?

In specific limited circumstances, the PI Trust or the PI Claims Administrator may disclose information, documents, or other materials, if it is reasonably necessary to process your claim or in order to resolve liens.

## 37. How will the PI Trust or the PI Claims Administrator make sure personal information remains confidential in the event it is sent to a third party?

The PI Trust or the PI Claims Administrator shall take any and all steps reasonably feasible (as determined by the PI Trust or the PI Claims Administrator, as applicable) to ensure your personal information remains confidential, including receiving a written confidentiality agreement from the third party that:

- 1. Ensures your information will be used solely by the third party for the purpose stated in the agreement; and
- 2. Prohibits the third party from sharing your information except as stated in the agreement.

### 38. What happens to personal information once the PI Trust is closed?

Once the PI Trust winds down (leading to the termination of the PI Trust), if the PI Trust determines there is no legitimate reason to keep submitted records/information, the PI Trust will securely destroy all records containing any personal information in compliance with any applicable federal laws and Delaware laws.

### 39. What happens after the records are securely destroyed?

The PI Trust will file a certification with the Bankruptcy Court attesting to the secure destruction of the records in compliance with any applicable federal laws and New York laws.

### **AWARD: CALCULATION**

The PI Trust will update this section as claims processing progresses, and after the Plan has been confirmed.

#### **AWARD: PAYMENT**

The PI Trust will update this section as claims processing progresses and after the Plan has been confirmed.

### APPEALING YOUR AWARD

The PI Trust will update this section as claims processing progresses and after the Plan has been confirmed.