

VIOXX

CONSUMER SETTLEMENT

MDL 1657

BG
BROWNGREER
CLAIMS ADMINISTRATOR

SETTLEMENT ADMINISTRATION STATUS REPORT No. 2

MARCH 19, 2014

BROWNGREER PLC

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I. INTRODUCTION

On December 6, 2013, the Claims Administrator, BrownGreer PLC (“BG”), filed its first Settlement Administration Status Report (Docket No. 64729), outlining the launch and implementation of the Nationwide Vioxx Consumer Settlement Program (the “Program”) and presenting detailed claimant activity data. On January 2, 2014, the Court entered its Final Order and Judgment Certifying the Class for Purposes of Settlement, Approving of Class Action Settlement, and Dismissing the Actions with Prejudice (the “Final Approval Order”) (Docket No. 64784, docketed Jan. 3, 2014). Since that time, BG has continued to carry out its functions as Claims Administrator. To aid the Court and the Parties at the March 21, 2014 Status Conference in this matter, BG now offers this second Settlement Administration Status Report to relate what it has observed and the Program has accomplished to date.

II. CLASS MEMBER REMINDER CAMPAIGN & OTHER ADDITIONAL SERVICES TO THE CLASS

Following the Court’s December 13, 2013 Final Approval Hearing, at the request of the Parties, BG developed a set of potential additional services and Settlement Program enhancements designed to stimulate Class Member participation in the Settlement Program. The Parties submitted this 15-part plan to the Court on January 23, 2014. The plan, as described more fully below, included a multi-faceted Class Member Reminder Campaign intended to prompt known potential Class Members to consider filing a claim with the Program by sending courtesy mail and email notifications to individuals who (1) previously reached out to the Program in some way but did not submit a Claim Form or (2) submitted an unsuccessful claim in the Vioxx Personal Injury Settlement Program and did not sign a release in that program. In addition to the Reminder Campaign, the plan included additional Class Member communication services and website enhancements not previously called for in the Settlement Agreement.

In consultation with the Parties, BG began implementing the plan on February 12, 2014. We describe the plan’s elements and impact below.

A. Class Member Reminder Campaign

Table 1 identifies the courtesy reminder recipient populations and provides a description of each component of the Class Member Reminder Campaign.

Table 1		Class Member Reminder Campaign Details		
Row	Recipient Population	Description	# of Addressees ¹	Date of Implementation
1.	Vioxx Personal Injury Settlement Program claimants without binding releases for whom BG has a mailing address.	Mailed a one-page reminder letter, three-page paper Claim Form with each claimant's name, address and date of birth pre-filled, and a self-addressed return envelope.	11,226	2/18/14
2.	Law firms who represented claimants without binding releases in the Vioxx Personal Injury Settlement Program.	Emailed to notify them of the reminder letter sent to their clients.	411	2/18/14
3.	Claimants who began a Claim Form online but have not completed their Claim.	Emailed to alert them to the steps needed to complete and submit the Claim Form.	668	2/17/14
4.	Claimants who have registered for Secure Claims Portal access but have not started a Claim Form.	Emailed to alert them to the steps needed to complete and submit the Claim Form.	5,159	2/17/14
5.	Claimants who requested and were sent a hard copy Claim Form but have not returned a completed Claim Form.	Mailed a letter alerting them to the steps needed to complete and submit the Claim Form.	3,763	2/14/14
6.	TOTAL		21,227	

B. Other Additional Services to the Class

In conjunction with the Class Member Reminder Campaign, the Parties and BG made several enhancements to the Class's primary communication vehicles – the Settlement Program website and automated toll-free phone line – to accommodate Spanish-speaking Class Members, simplify the claim filing process, and provide individualized filing assistance not expressly contemplated in the Settlement Agreement. These “add-on” services were not suggested or implemented in the Settlement Program originally as they were not required under Rule 23 and

¹ BG sent all 21,227 reminder communications to the mailing and email addresses available for each intended recipient. As was expected, some letters and emails were undeliverable; as we are attempting email re-delivery in stages and are continuing to receive returned mail, we are not yet able to report the ultimate delivery success of the communications. We will do so when possible and will work with the Parties to explore alternative options for delivery to the as yet unreachable individuals, such as address change research.

related decisional law for preliminary or final approval of this Settlement. The Parties reviewed cost estimates for implementing each new item and approved the additional expenditures as part of the commitment to increase Class Member participation and voluntarily to address certain objector concerns, as the cumulative claimed value of the Claim Forms submitted to date did not threaten to exceed the available settlement funds. Tables 2 and 3 outline the measures taken.

Table 2		Enhancements to the Toll-Free Automated Call Center	
Row	Description	Date of Implementation	
1.	Add to the existing automated toll-free Call Center for the Settlement Program the option of leaving a message requesting to be called back by a live operator.	2/12/14	
2.	Add to the existing automated call system the option to choose a Spanish version of the recorded messages on the automated toll-free Call Center for the Settlement Program.	2/12/14	
3.	Provide Spanish-speaking representatives to return calls.	2/12/14	

Table 3		Enhancements to the Settlement Program Website	
Row	Description	Date of Implementation	
1.	Add to the Home Page the ability to download a PDF of the Claim Form.	2/15/14	
2.	Add to the Home Page the option to request that a hard copy Claim Form be mailed to a site visitor.	2/15/14	
3.	Enhance the original approved language on the Home Page to emphasize the payments available in the Program.	2/15/14	
4.	Add to the Home Page a "Do I Qualify for Payment?" function that allows site visitors to answer a series of questions and determine if they are in the Class and potentially eligible for payment (with disclaimers that payment is not guaranteed).	2/15/14	
5.	Modify the online Claim Form steps to allow a Non-Account Method of claim submission where a claimant can complete and submit a Claim Form without first establishing a Portal account, and to indicate that he or she does not wish to establish a Portal account with us for future use but instead would like to receive official Settlement Program notices by mail.	2/15/14	
6.	Make a Spanish language version of the Claim Form available to be downloaded as a printable PDF online and in hard copy form to be mailed to claimants who request it.	2/15/14	
7.	Make the Settlement Program website screens available in a Spanish language version, including a Spanish version of the online Claim Form.	2/28/14	

C. Class Member Response Statistics

The Settlement Program has observed a significant increase in participation since the launch of the Class Member Reminder Campaign and Other Additional Services to the Class. Prior to the initiation of the plan, the Program received a total of 3,136 Claim Forms at an average rate of 130 claims filed per week. Since the launch of the plan, the Program has received 1,618 new Claim Forms at an average rate of 378 claims per week, representing 34% of all claims filed to date, and nearly tripling the number of claims filed per week. Table 4 illustrates these figures.

Table 4		Claim Filing Rates		
Row	Time Period	Average Per Week	Total Claims Filed	Percentage of All Claims
1.	9/1/13 to 2/16/14	130	3,136	66%
2.	2/17/14 to 3/18/14	378	1,618	34%
3.	Total	167	4,754	100%

D. Upcoming Class Reminder Media Campaign

BG understands that the Parties have worked with Kinsella Media LLC (“Kinsella”) to secure further paid advertisements in this Settlement Program that will run during the month of April 2014. The Parties sent the Court the agreed-to Reminder Media Campaign with a declaration from Dr. Shannon Wheatman of Kinsella on February 28, 2014. The first components of the Reminder Media Campaign will run on April 1, 2014, and BG will be prepared for the anticipated increase in claimant activity that results. BG can later relate to the Court the Class Member response to that campaign in a report similar to this one.

The Parties further requested that BG post a link to the Program’s website on BG’s Facebook page as part of the Class Reminder Media Campaign, which we did as illustrated below:



BG also added a “Current Programs” section to its firm website and included a descriptive narrative of the Vioxx Consumer Settlement Program with a link to the Program’s official website. That narrative and link are available at: www.BrownGreer.com/Current-Programs.

III. CLAIMANT ACTIVITY

Settlement Class Members can interact with the Program in several ways, including through the toll-free automated phone line, the Portal, email, and United States mail. In addition to tracking certain elements of these interactions, the Claims Administrator also tracks claim submission data drawn from information entered on each claimant’s Claim Form. Pursuant to the Settlement Agreement’s requirement that the Claims Administrator “provide reports to Plaintiff’s Counsel and Merck regarding the implementation of the Notice Plan and the number, substance, and status of claims,” BG sends a weekly Status of Claimant Activity Report to the Parties and the Court’s law clerk, reporting on various claimant Program interactions and claim submission information. (Agmt. ¶ 11.17.) The tables below draw from those weekly reports and present some expanded data, such as geography of claimant interactions and submissions.

A. Call Data

BG formally began tracking phone calls placed to the toll-free number on September 1, 2013, in conjunction with the launch of Kinsella’s Notice Plan, which began its paid media campaign that week. Tables 5 through 9 reflect call volumes and the geographic location of callers from September 1, 2013, until March 18, 2014.

Table 5	Cumulative Calls to Toll Free Number (9/1/13 - 3/18/14)	
Row	Type of Call	Number of Calls
1.	Total Calls	12,103
2.	Unique Calls ²	7,718

² This “Unique Calls” data shows the number of unique phone numbers that have placed at least one call to the Program. The Claims Administrator has observed that several unique calls may originate from the same telephone number, where they have been placed by separate individuals, particularly in the case of many individuals living in the same nursing home or working at the same place of business.

Table 6	Total Weekly Calls to Toll Free Number (9/1/13 - 3/18/14)			
Row	Week	Calls	Week	Calls
1.	9/1/13 – 9/7/13	10	12/15/13 - 12/21/13	59
2.	9/8/13 – 9/14/13	1,790	12/22/13 – 12/28/13	39
3.	9/15/13 – 9/21/13	4,645	12/29/13 – 1/4/14	37
4.	9/22/13 – 9/28/13	1,406	1/5/14 – 1/11/14	52
5.	9/29/13 – 10/5/13	533	1/12/14 – 1/18/14	56
6.	10/6/13 – 10/12/13	322	1/19/14 – 1/25/14	59
7.	10/13/13 – 10/19/13	213	1/26/14 – 2/1/14	48
8.	10/20/13 – 10/26/13	202	2/2/14 – 2/8/14	50
9.	10/27/13 – 11/2/13	123	2/9/14 – 2/15/14	51
10.	11/3/13 – 11/9/13	137	2/16/14 – 2/22/14	620
11.	11/10/13 – 11/16/13	116	2/23/14 – 3/1/14	700
12.	11/17/13 – 11/23/13	93	3/2/14 – 3/8/14	281
13.	11/24/13 – 11/30/13	43	3/9/14 – 3/15/14	186
14.	12/1/13 – 12/7/13	70	3/16/14 – 3/18/14	88
15.	12/8/13 – 12/14/13	74		
16.	Total		12,103	

Table 7	Unique Calls to Toll Free Number (9/1/13 - 3/18/14)			
Row	Week	Calls	Week	Calls
1.	9/1/13 – 9/7/13	6	12/15/13 - 12/21/13	32
2.	9/8/13 – 9/14/13	1,406	12/22/13 – 12/28/13	17
3.	9/15/13 – 9/21/13	3,655	12/29/13 – 1/4/14	14
4.	9/22/13 – 9/28/13	913	1/5/14 – 1/11/14	32
5.	9/29/13 – 10/5/13	292	1/12/14 – 1/18/14	24
6.	10/6/13 – 10/12/13	190	1/19/14 – 1/25/14	31
7.	10/13/13 – 10/19/13	131	1/26/14 – 2/1/14	21
8.	10/20/13 – 10/26/13	124	2/2/14 – 2/8/14	17
9.	10/27/13 – 11/2/13	61	2/9/14 – 2/15/14	19
10.	11/3/13 – 11/9/13	58	2/16/14 – 2/22/14	164
11.	11/10/13 – 11/16/13	48	2/23/14 – 3/1/14	191
12.	11/17/13 – 11/23/13	42	3/2/14 – 3/8/14	76
13.	11/24/13 – 11/30/13	21	3/9/14 – 3/15/14	43
14.	12/1/13 – 12/7/13	35	3/16/14 – 3/18/14	24
15.	12/8/13 – 12/14/13	31		
16.	Total		7,718	

Table 8	Total Calls to Toll Free Number by State³ (9/1/13 - 3/18/14)									
Row	State	Calls	State	Calls	State	Calls	State	Calls	State	Calls
1.	AK	3	HI	20	MI	379	NV	96	TX	786
2.	AL	571	IA	94	MN	125	NY	624	UT	52
3.	AR	224	ID	32	MO	205	OH	477	VA	248
4.	AZ	170	IL	620	MS	671	OK	120	VT	7
5.	CA	965	IN	221	MT	26	OR	111	WA	128
6.	CO	89	KS	85	NC	511	PA	492	WI	238
7.	CT	94	KY	195	ND	14	PR	7	WV	115
8.	DC	34	LA	341	NE	53	RI	45	WY	27
9.	DE	42	MA	153	NH	17	SC	273	Unavailable	15
10.	FL	888	MD	217	NJ	255	SD	18	Canada	52
11.	GA	473	ME	25	NM	45	TN	315	Total	12,103

Table 9	Unique Calls to Toll Free Number by State (9/1/13 - 3/18/14)									
Row	State	Calls	State	Calls	State	Calls	State	Calls	State	Calls
1.	AK	3	HI	14	MI	255	NV	65	TX	465
2.	AL	344	IA	64	MN	87	NY	386	UT	39
3.	AR	144	ID	22	MO	138	OH	324	VA	149
4.	AZ	112	IL	395	MS	362	OK	88	VT	5
5.	CA	602	IN	141	MT	21	OR	77	WA	90
6.	CO	57	KS	59	NC	328	PA	323	WI	151
7.	CT	63	KY	131	ND	9	PR	4	WV	69
8.	DC	20	LA	221	NE	41	RI	25	WY	11
9.	DE	27	MA	103	NH	12	SC	185	Unavailable	7
10.	FL	566	MD	138	NJ	153	SD	14	Canada	35
11.	GA	297	ME	16	NM	36	TN	225	Total	7,718

B. Website Usage Data

Tables 10 through 13 show the overall usage of the Program's informational website and Portal, as well as registrations for access to the Portal. The informational website does not require credentialed logins to access, and individuals can now submit an electronic Claim Form without first registering for Portal access. The Portal requires first that individuals register for access to establish a secure and continuing exchange platform with the Program, after which they can log into their own individual segment of the Portal to submit an electronic Claim Form,

³ State call data in this Report is determined by area code. The Claims Administrator notes that this table cannot definitively predict the residence of each caller, particularly in the case of cell phone users who, with some frequency, have an area code outside of their state of residence.

upload supporting documentation, and view personalized notifications from the Claims Administrator.

Table 10		
Settlement Website Traffic (8/6/13 - 3/18/14)		
Row	Category	Number
1.	Unique Pageviews ⁴	128,859
2.	Unique Visitors ⁵	47,644

Table 11										
Unique Visitors by Location⁶ (8/6/13 - 3/18/14)										
Row	State	Visits	State	Visits	State	Visits	State	Visits	State	Visits
1.	AK	55	HI	152	MI	966	NV	328	TX	2,317
2.	AL	652	IA	264	MN	448	NY	2,294	UT	221
3.	AR	318	ID	218	MO	809	OH	1,360	VA	1,180
4.	AZ	758	IL	1,725	MS	416	OK	329	VT	69
5.	CA	5,169	IN	622	MT	88	OR	497	WA	1,268
6.	CO	557	KS	283	NC	1,211	PA	1,551	WI	573
7.	CT	431	KY	430	ND	50	PR	41	WV	165
8.	DC	187	LA	473	NE	181	RI	84	WY	77
9.	DE	111	MA	800	NH	154	SC	602	Unknown	3,602
10.	FL	2,998	MD	622	NJ	1,303	SD	76	NON-US	6,457
11.	GA	1,170	ME	147	NM	183	TN	602		
12.									Total	47,644

⁴ This item reflects the total number of unique pages viewed by all unique visitors.

⁵ This item reflects the total number of unique IP addresses that visited either the informational website or Portal.

⁶ Website access state data in this Report is determined by IP address. Like area codes, IP addresses cannot definitively predict the residence of the website user for a number of reasons.

Table 12		Total Portal Registrations by State (9/1/13 - 3/18/14)								
Row	State	Count	State	Count	State	Count	State	Count	State	Count
1.	AA	1	GA	226	ME	25	NM	31	TN	155
2.	AK	6	HI	24	MI	214	NV	59	TX	403
3.	AL	176	IA	46	MN	86	NY	392	UT	36
4.	AR	109	ID	26	MO	113	OH	304	VA	131
5.	AZ	169	IL	386	MS	111	OK	66	VI	1
6.	CA	938	IN	159	MT	14	OR	73	VT	16
7.	CO	90	KS	63	NC	272	PA	342	WA	125
8.	CT	89	KY	92	ND	6	PR	2	WI	104
9.	DC	15	LA	93	NE	45	RI	24	WV	29
10.	DE	22	MA	162	NH	33	SC	153	WY	13
11.	FL	712	MD	164	NJ	203	SD	17	Non-US	1
12.	Total Portal Registrations									7,367

Table 13		Total Weekly Portal Registrations (9/1/13 - 3/18/14)		
Row	Week	Registrations	Week	Registrations
1.	9/1/13 – 9/7/13	59	12/15/13 – 12/21/13	69
2.	9/8/13 – 9/14/13	924	12/22/13 – 12/28/13	112
3.	9/15/13 – 9/21/13	2,949	12/29/13 – 01/04/14	109
4.	9/22/13 – 9/28/13	759	01/05/14 – 01/11/14	130
5.	9/29/13 – 10/5/13	325	01/12/14 – 01/18/14	99
6.	10/6/13 – 10/12/13	209	01/19/14 – 01/25/14	94
7.	10/13/13 – 10/19/13	224	01/26/14 – 02/01/14	86
8.	10/20/13 – 10/26/13	179	02/02/14 – 02/08/14	114
9.	10/27/13 – 11/2/13	137	02/09/14 – 02/15/14	59
10.	11/3/13 – 11/9/13	128	02/16/14 – 02/22/14	82
11.	11/10/13 – 11/16/13	88	02/23/14 – 03/01/14	49
12.	11/17/13 – 11/23/13	86	03/02/14 – 03/08/14	68
13.	11/24/13 – 11/30/13	46	03/09/14 – 03/15/14	41
14.	12/1/13 – 12/7/13	57	03/16/14 – 03/18/14	25
15.	12/8/13 – 12/14/13	60		
16.	Total Portal Registrations			7,367

C. Requests for Materials and Callbacks

Class Members can request Claim Forms and other Settlement Materials by calling the toll-free phone line or by filling out a short form on the public informational website. The toll-free phone line also provides Class Members with the option of requesting a callback by a live operator to answer questions and/or to walk them through the process of filing a Claim. Tables 14 through 17 show the total number of requests for materials and callbacks and the location of the Class Members making these requests.

Table 14	Cumulative Requests for Materials (9/1/13 - 3/18/14)		
Row	Source of Request	Total	Unique
1.	Voicemail	6,879 ⁷	5,726 ⁸
2.	Website	71	57
3.	Live Operator Callback	109	61
4.	Total	7,059	5,844

Table 15	Requests for Callbacks Through Toll Free Number (2/12/14 – 3/18/14)	
Row	Language of Request	Number of Requests
1.	Spanish	14
2.	English	411
3.	Total	425

⁷ This item reflects the total number of voicemails left with the Program requesting materials.

⁸ This item reflects the number of unique caller names who have requested at least one document from the Program.

Table 16		Total Requests for Materials by State⁹ (9/1/13 - 3/18/14)								
Row	State	Requests	State	Requests	State	Requests	State	Requests	State	Requests
1.	AK	20	HI	11	MI	235	NV	58	TX	418
2.	AL	368	IA	59	MN	78	NY	324	UT	34
3.	AR	119	ID	21	MO	113	OH	283	VA	150
4.	AZ	101	IL	382	MS	322	OK	67	VT	4
5.	CA	564	IN	136	MT	15	OR	63	WA	76
6.	CO	58	KS	58	NC	312	PA	296	WI	127
7.	CT	49	KY	106	ND	9	PR	1	WV	62
8.	DC	8	LA	180	NE	30	RI	25	WY	13
9.	DE	31	MA	82	NH	8	SC	157	Unavailable ¹⁰	109
10.	FL	538	MD	137	NJ	135	SD	12	Canada	5
11.	GA	282	ME	17	NM	20	TN	171	Total	7,059

Table 17		Unique Requests for Materials by State (9/1/13 - 3/18/14)								
Row	State	Requests	State	Requests	State	Requests	State	Requests	State	Requests
1.	AK	17	HI	9	MI	194	NV	48	TX	336
2.	AL	278	IA	50	MN	66	NY	272	UT	28
3.	AR	98	ID	17	MO	95	OH	228	VA	125
4.	AZ	89	IL	318	MS	262	OK	58	VT	3
5.	CA	480	IN	111	MT	14	OR	57	WA	68
6.	CO	49	KS	47	NC	260	PA	258	WI	115
7.	CT	43	KY	85	ND	7	PR	1	WV	54
8.	DC	5	LA	155	NE	25	RI	21	WY	9
9.	DE	26	MA	75	NH	7	SC	136	Unavailable	63
10.	FL	427	MD	113	NJ	123	SD	11	Canada	5
11.	GA	225	ME	13	NM	18	TN	147	Total	5,844

D. Claim Submissions

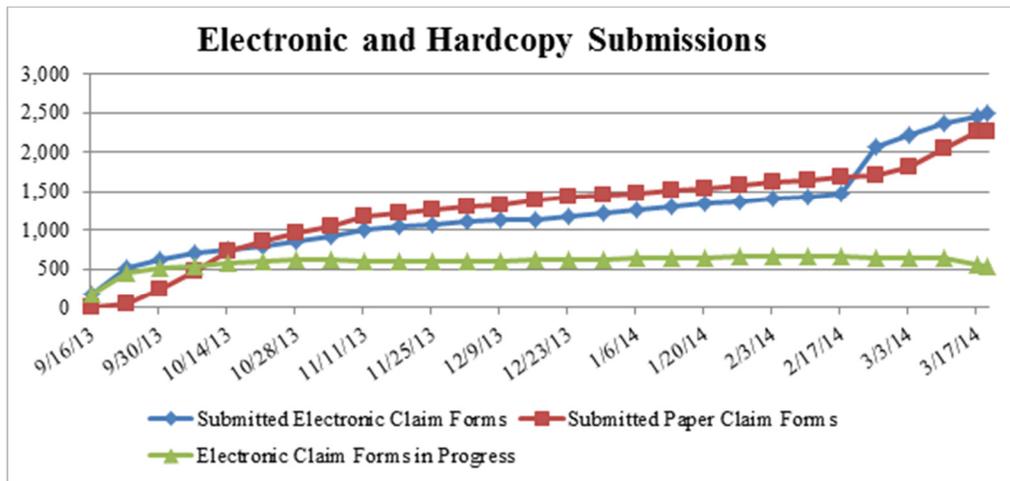
Claimants can submit claims and supporting documents electronically or on paper. The Settlement Agreement requires that the Program's website allow Class Members to "electronically submit a completed Claim Form and medical authorization, and upload copies of any of the documented proofs of payment . . ." (Agmt. ¶ 11.6.) The Settlement Agreement also

⁹ Document Request state data is determined by using the mailing address provided by the individual requesting the materials.

¹⁰ These "Unavailable" requests occur when individuals fail to provide sufficient enough information to complete the mailing and our outreach efforts to speak with them to capture the missing mailing information prove unsuccessful.

requires the Claims Administrator to maintain a P.O. Box that Class Members can use “to request Notice, Proof of Claim Form and additional information” and to “submit a Proof of Claim Form with supporting documentary proof.” (Agmt. ¶ 5.5.) Tables 18 and 19, and the accompanying graph, report the total number of electronic Claim Form submissions through the Portal, as well as the number of paper Claim Forms received by mail at the Program’s mailing address, P.O. Box 26882, Richmond, VA 23261.

Table 18		Claim Form Activity
Row	Item	Total
1.	Submitted Electronic Claim Forms	2,488
2.	Submitted Paper Claim Forms	2,266
3.	Total Submitted Claim Forms (Row 1 + Row 2)	4,754
4.	Electronic Claim Forms in Progress ¹¹	532



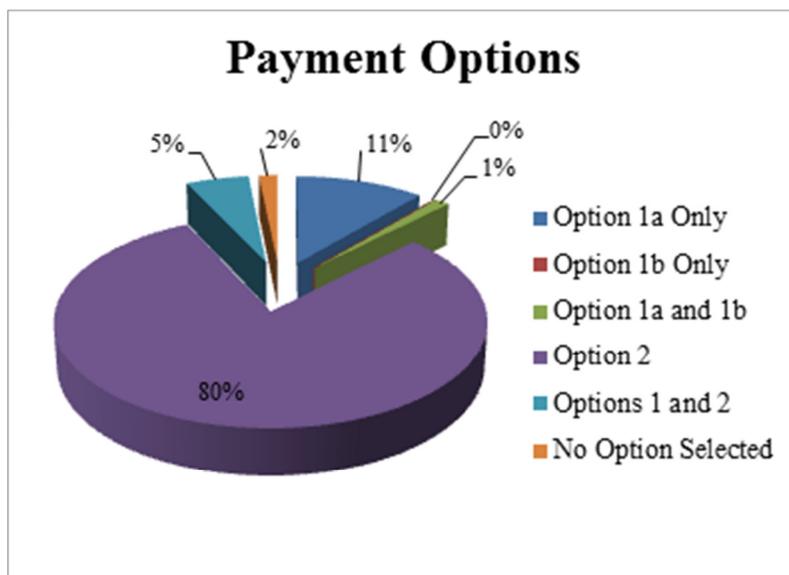
¹¹ This item reflects Claim Forms that have been started in the Portal but not yet completed and submitted.

Table 19		Total Claims Filed by State						
Row	State	Electronic	Paper	Total	State	Electronic	Paper	Total
1.	AK	6	0	6	NC	82	71	153
2.	AL	47	65	112	ND	3	7	10
3.	AR	22	31	53	NE	16	10	26
4.	AZ	63	37	100	NH	5	5	10
5.	CA	388	242	630	NJ	68	62	130
6.	CO	34	13	47	NM	12	7	19
7.	CT	35	36	71	NV	20	21	41
8.	DC	6	1	7	NY	144	121	265
9.	DE	5	9	14	OH	83	81	164
10.	FL	234	187	421	OK	20	26	46
11.	GA	71	78	149	OR	33	24	57
12.	HI	9	1	10	PA	121	97	218
13.	IA	14	21	35	PR	2	2	4
14.	ID	8	9	17	RI	6	8	14
15.	IL	138	116	254	SC	55	37	92
16.	IN	44	37	81	SD	6	7	13
17.	KS	23	16	39	TN	47	58	105
18.	KY	26	23	49	TX	131	122	253
19.	LA	32	47	79	UT	13	6	19
20.	MA	71	31	102	VA	42	45	87
21.	MD	54	38	92	VI	1	0	1
22.	ME	5	4	9	VT	8	0	8
23.	MI	65	59	124	WA	42	34	76
24.	MN	24	27	51	WI	27	32	59
25.	MO	35	20	55	WV	11	29	40
26.	MS	15	188	203	WY	1	2	3
27.	MT	10	5	15	NON-US	5	11	16
28.	Total					2,488	2,266	4,754

The Settlement Agreement allows Class Members to recover, based on the form of proof submitted, either (1) their actual out-of-pocket costs for Vioxx purchases and up to \$75 for Post-Medical Withdrawal Consultation expenditures or (2) up to \$50. (Agmt. ¶¶ 11.2, 11.2.1.) Class Members must elect one option or the other in their Claim Forms. (Agmt. ¶ 11.2.2.) The Claims Administrator tracks the election types submitted and the values claimed in each submission, as set forth in Table 20 below. While the electronic Claim Form available through the Portal

includes programmatic validations and restrictions so that claimants cannot submit impossible claims, the paper Claim Form cannot guide claimant responses in that way. As a result, a number of paper submissions include conflicting or contradictory claim selections, such as in Row 6 of Table 20 where claimants impermissibly selected both Option 1 and Option 2.

Table 20		Claim Payment Options and Total Amount Claimed			
Row	Item	Claim Forms	Percentage	Require W-9 (>\$600)	Amount Claimed
1.	Claims Forms with Option 1	595	13%	125	\$295,612.39
2.	Option 1a Only	530	11%	112	\$264,434.94
3.	Option 1b Only ¹²	4	<1%	1	\$875.00
4.	Both	61	1%	12	\$30,302.45
5.	Claim Forms with Option 2¹³	3,825	80%	N/A	\$191,250.00
6.	Claim Forms with Options 1 and 2¹⁴	258	5%	34	\$193,465.73
7.	Claim Forms without Option 1 or 2	76	2%	N/A	N/A
8.	Totals	4,754	100%	159	\$680,328.12



¹² The totals for Option 1b claims in this Report reflect totals of the claimed amount of Post-Withdrawal Medical Consultation expenditures, where a number of such claims impermissibly seek more than \$75 for this type of loss.

¹³ Claimants who select Option 2 only or Option 2 and Option 1 but no Option 1 value claimed have been treated in this report as having a claimed amount of \$50.

¹⁴ Row 6 includes one hard copy Claim Form in which the claimant entered \$100,000 under the Option 1a Amount Claimed, an unlikely amount that may improperly suggest a higher total value of claims submitted.

IV. CONCLUSION

The Claims Administrator continues to carry out its duties set forth in the Settlement Agreement with frequent contact with the Parties, Kinsella, and the Court, administering the Program in as fair, accurate, and efficient a manner as possible.

Respectfully submitted,

BROWNGREER PLC

By: /s/ Orran L. Brown

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CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing Settlement Administration Status Report has been served on Liaison Counsel, Russ Herman and Phillip Wittmann, by U.S. Mail and e-mail or by hand delivery and email, upon Liaison Counsel Ann Oldfather by e-mail, and upon all parties by electronically uploading the same to LexisNexis File & Serve Advanced in accordance with Pre-Trial Order No. 8B, and that the foregoing was electronically filed with the Clerk of Court of the United States District Court for the Eastern District of Louisiana by using the CM/ECF system which will send a Notice of Electronic Filing in accord with the procedures established in MDL 1657, on this 19th day of March, 2014.

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