

## **NOTICE OF ASARCO LLC ASBESTOS PERSONAL INJURY SETTLEMENT TRUST FILING DEADLINES**

The ASARCO Trust provides this notice to alert claimants' counsel to the provisions of Section 5.1(a)(2) of the ASARCO LLC Asbestos Personal Injury Settlement Trust Distribution Procedures (the "TDP") regarding the filing deadline of **January 6, 2014**, for certain claims.

### **Key dates:**

Certain of ASARCO LLC's subsidiaries (collectively, the "Subsidiary Debtors")<sup>1</sup> filed their bankruptcy petitions on April 11, 2005.

ASARCO LLC filed its bankruptcy petition on August 9, 2005.

The Effective Date of the ASARCO LLC Plan of Reorganization was December 9, 2009.

The Initial Claims Filing Date with the Trust was January 5, 2011.

### **Diagnosis before April 11, 2005:**

Asbestos personal injury claimants diagnosed before April 11, 2005, may file a claim with the Trust no later than **January 6, 2014**, if any of the following conditions are met, provided the applicable statute of limitations did not bar the claim at the time of the event described below:

a. The claimant filed a claim against ASARCO<sup>2</sup> before August 9, 2005, either by lawsuit or by submission of the claim to ASARCO pursuant to an administrative settlement agreement;

b. The claim was tolled against ASARCO prior to August 9, 2005, by agreement or otherwise, provided the tolling was still in effect on the relevant petition date; or

c. The claimant was prevented from filing a lawsuit by the Subsidiary Debtors' bankruptcy petition<sup>3</sup> or by ASARCO LLC's bankruptcy petition.

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<sup>1</sup> The "Subsidiary Debtors" means Lac d'Amiante du Québec Ltée, Lake Asbestos of Quebec, Ltd., LAQ Canada, Ltd., CAPCO Pipe Company, Inc., and Cement Asbestos Products Company.

<sup>2</sup> As defined in the preamble to the TDP, "ASARCO" is defined to include ASARCO LLC, the Subsidiary Debtors, and various other affiliated debtor entities.

<sup>3</sup> On April 12, 2005, the day after filing their respective bankruptcy petitions, the Subsidiary Debtors filed an adversary proceeding seeking, *inter alia*, the entry of a temporary restraining order ("TRO") and a preliminary injunction enjoining all potential asbestos claimants from taking any further action to prosecute any asbestos claim against ASARCO LLC or the Subsidiary Debtors. *See* Adversary Case No. 05-2030, filed in the United States Bankruptcy Court for the Southern District of Texas. The Court granted the TRO on April 15, 2005, and entered an order enjoining all asbestos claimants from commencing and/or continuing to prosecute any asbestos claim against ASARCO and various affiliated entities.

**Diagnosis after April 11, 2005:**

Asbestos personal injury claimants diagnosed on or after April 11, 2005, may file a claim with the Trust within three (3) years after the date of diagnosis or by **January 6, 2014**, whichever occurs later.

**Additional Information:**

To ensure timely filing of claims, the Trust encourages use of the electronic filing options described in the filing instructions at [www.asarcotrust.com](http://www.asarcotrust.com). If you have further questions regarding this notice, please contact the Trust's claims administrator:

By Mail: ASARCO LLC Asbestos Personal Injury Settlement Trust  
c/o Verus Claims Services LLC  
3967, Princeton Pike,  
Princeton, NJ 08540

By Fax: 609-466-1449

By Phone: Mark Eveland, 609-466-0427, ext. 1004

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