

H. K. PORTER ASBESTOS TRUST

STATUTE OF LIMITATIONS

STATUTE OF LIMITATIONS POLICY: The following is the official policy of the H. K. Porter Asbestos Trust regarding filing a claim within the statute of limitations.

The filing of bankruptcy by H.K. Porter Company, Inc. on February 15, 1991 stopped the running of the statute of limitations (“SOL”) as of that date. Although the company emerged from bankruptcy on July 28, 1998, the Trust elected to defer the date on which the statute of limitations started running to August 1, 1999.

Claimants for whom the applicable statute of limitations (plus a 60-day grace period) expired prior to February 15, 1991 are not eligible to file a claim against the Trust.

Each eligible claimant for whom the applicable statute of limitations (plus a 60-day grace period) had not expired prior to February 15, 1991 will have the full period provided under the applicable statute of limitation in his or her jurisdiction. No portion of the statute will be deemed to have run before August 1, 1999. For claimants first diagnosed after August 1, 1999, the applicable statute of limitation will run from the date of diagnosis. Therefore, the starting date for the statute period will be the later of the diagnosis date or August 1, 1999.

In all cases, the Trust will allow a 60-day grace period in addition to the normal limitations period.

The Trust does not accept an asbestos personal injury lawsuit filed against another party as satisfaction of the H K Porter SOL requirement for claims filed after September 8, 2010. The Trust does not use the state of the filing firm for checking SOL for claims filed after January 5, 2011.

The decision process to determine whether a new claim meets the statute of limitations requirements is as follows.

Begin with the starting date described above and add a 60 day grace period plus the longer applicable statute of limitations period for the residence state of the claimant or for the state where exposure occurred. If the claim was received within this period, the test is met. Otherwise the test fails.

The applicable statute period will normally be that for a personal injury, or for an asbestos personal injury if the state has a special provision for such injuries. Periods for wrongful death may be applied only if the person has died and the claim asserts that the death was asbestos related.

By applying the tolling provisions above, all claimants with unexpired claims at or after the bankruptcy filing date have or had an opportunity to file their claims with the Trust.