# AMENDMENT TO THE T H AGRICULTURE & NUTRITION, L.L.C. FIRST AMENDED ASBESTOS PERSONAL INJURY TRUST DISTRIBUTION PROCEDURES (effective April 1, 2011)

THIS AMENDMENT TO THE T H AGRICULTURE & NUTRITION, L.L.C. FIRST AMENDED ASBESTOS PERSONAL INJURY TRUST DISTRIBUTION PROCEDURES (effective April 1, 2011) (the "TDP") is made by the Trustees ("Trustees") of the T H Agriculture & Nutrition, L.L.C. Asbestos Personal Injury Trust ("Asbestos PI Trust") pursuant to Section 8.1 of the TDP, effective as of April 4, 2014.

Capitalized terms used but not defined herein shall have the respective meanings assigned such terms in the TDP.

#### **RECITALS:**

- 1. The T H Agriculture & Nutrition, L.L.C. Asbestos Personal Injury Trust Distribution Procedures became effective on November 30, 2009, pursuant to the First Amended Prepackaged Plan of Reorganization of T H Agriculture & Nutrition, L.L.C. under Chapter 11 of the United States Bankruptcy Code.
- 2. The Trustees, with the consent of the Asbestos PI Trust Advisory Committee ("TAC") and the Future Claimants' Representative ("FCR"), adopted certain amendments to the T H Agriculture & Nutrition, L.L.C. Asbestos Personal Injury Trust Distribution Procedures, which amendments became effective April 1, 2011. See the T H Agriculture & Nutrition, L.L.C. First Amended Asbestos Personal Injury Trust Distribution Procedures (effective April 1, 2011). The T H Agriculture & Nutrition, L.L.C. Asbestos Personal Injury Trust Distribution Procedures, as amended, are referred to herein as the TDP.
- 3. Pursuant to Section 8.1 of the TDP, the Trustees of the Asbestos PI Trust may amend, modify, delete, or add to any provisions of the TDP provided the Trustees first obtain the consent of the TAC and the FCR.
- 4. By correspondence dated November 25, 2013, the Trustees requested that the TAC and the FCR consent to an amendment to the TDP to permit a claimant submitting a secondary exposure claim, as described in Section 5.5 of the TDP, to elect whether the claim be processed under Expedited Review or Individual Review rather than requiring the claim be reviewed under the Individual Review process.
- 5. By correspondence dated April 4, 2014, and February 24, 2014, the TAC and the FCR, respectively, consented to the adoption of this amendment to the TDP.
- 6. The Trustees, having obtained the consent of the TAC and the FCR, amend Section 5.5 of the TDP as set forth herein.

# **ADOPTION OF AMENDMENT:**

NOW, THEREFORE, the Trustees hereby adopt the following amendment to the TDP:

The first sentence of Section 5.5 of the TDP is hereby amended and restated as follows:

5.5 <u>Secondary Exposure Claims</u>. If a claimant alleges an asbestos-related disease resulting solely from exposure to an occupationally exposed person, such as a family member, the claimant may seek Individual Review of his or her claim pursuant to Section 5.3(b) above.

IN WITNESS WHEREOF, the Trustees, with the consent of the TAC and FCR as provided in the Trust Agreement, have executed this Amendment to the TDP this day of April, 2014, effective as of the date first above written. The Amendment to the TDP may be executed in any number of counterparts, each of which shall constitute an original and all of which together shall constitute one and the same instruments.

TRUSTEES:

Honorable Alfred M. Wolin, Ret., not in his individual capacity

but solely as Trustee

Charles A. Koppelman, not in his individual capacity but solely as Trustee

David F. Levi, not in his individual capacity but solely as Trustee

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