

# ROZEN LAW FIRM, LLP

---

777 THIRD AVENUE, 31ST FLOOR  
NEW YORK, NEW YORK 10017

P: 212.527.9600  
D: 212.527.9605  
F: 212.527.9611  
E: MKROZEN@ROZENLLP.COM

## MEMORANDUM

TO: The Honorable Alan D. Moats (via email & FedEx)  
and All Parties (via email)

FROM: Michael K. Rozen, Director of Medical Monitoring

RE: Status Report of the Director  
*Jack Leach, et al. v. E.I. du Pont de Nemours and Co.*,  
C-8 PFOA Medical Monitoring Program

DATE: February 1, 2016

---

On November 20, 2012, the Court appointed Michael K. Rozen, Esq. as Director of Medical Monitoring (the "Director") in the above-referenced matter to oversee the implementation of the Medical Panel Protocols for the Medical Monitoring Program (the "Program"). The Director has previously submitted 28 Status Reports to the Court summarizing the progress and status of planning for implementation of the Medical Panel Protocols, most recently on January 19, 2016.

The Program was launched with a mailing of notice packets to approximately 98,000 potential Class Members in the beginning of September 2014 and Class Members have been registering, making appointments for monitoring and receiving monitoring pursuant to the Medical Panel Protocols. Since September 2014, additional notice packets have been mailed to potential Class Members upon request bringing the total number of mailings to 99,020.

Each week the Director submits to the parties a Weekly Summary Report with detailed Program Statistics. Attached hereto is the Weekly Summary Report for the week ending January 29, 2016, which sets out in detail the current number of Program participants (6,593 Registrations to date) and their demographics, as well as, among other information, the number of scheduled physician monitoring appointments, the number of approved services, and the total amount approved for payment. Also attached is a CPT Code Summary Report setting forth the total services approved for payment by the Director through January 26, 2016, by CPT Code.

# ROZEN LAW FIRM, LLP

The Honorable Alan D. Moats and All Parties  
February 1, 2016

By agreement of the parties, the Director mails an Affidavit of Settlement Class Membership to all Registrants with insufficient documentation, along with a letter which explains that a completed and notarized Affidavit will be accepted as proof of Class Member status and eligibility to participate fully in the C-8 Medical Monitoring Program. As of January 29, 2015 a total of 5,860 Registrants have been deemed eligible for medical monitoring. Next week the Director will mail to all eligible Registrants who have not yet had monitoring appointments a letter reminding them to schedule physician monitoring appointments. Those eligible Registrants who have email addresses and have not yet had monitoring appointments will also receive a reminder by email.

The parties continue to work with the Director, his team, and each other in good faith.

# C-8MedicalMonitoringProgram.com

C-8MedicalMonitoringProgram.com

## WEEKLY SUMMARY REPORT

For the week ended January 29, 2016

### POTENTIAL PARTICIPANTS

	TOTAL PARTICIPANTS
Potential Participants Sent Notice Packet	99,020
Registrations Received*	6,593
a. Eligible for Medical Monitoring	5,860
b. Duplicate Registrations	319
c. Ineligible (see page 2 for details)	90
d. Deficient (see page 2 for details)	310
e. Under Review	22
Affidavit of Class Membership Mailed	452
a. Affidavits Received	176
b. Affidavits Incomplete or Invalid	8
Physician Appointments Made by Eligible Class Members	1,734
Physician Appointments Scheduled after 1/29/2016	7
Physician Appointments Requested with Non HealthSmart Providers	4

\*If confirmed as a participant in the C-8 Health Study, the Program will use documentation on hand to confirm eligibility for Medical Monitoring.

### PAYMENTS

	WEEK ENDING 1/29/2016	CUMULATIVE TO DATE
Number of Approved CPT Code Services	32	8,131
Total Amount Approved for Payment	\$1,720.38	\$697,867.73
Total Amount of Funds Disbursed to HealthSmart	\$1,589.59	\$697,830.79
Balance in DuPont Medical Monitoring Escrow Account (as of 12/31/15)	\$0.00	\$819,356.15

### C-8 HEALTH STUDY PARTICIPANTS

	WEEK ENDING 1/29/2016	CUMULATIVE REGISTRANTS TO DATE
Participant	0	6,067
Non-Participant	0	526

# C-8MedicalMonitoringProgram.com

C-8MedicalMonitoringProgram.com

## WATER DISTRICTS / SOURCES (AS REPORTED BY REGISTRANT)\*

	WEEK ENDING 1/29/2016	CUMULATIVE REGISTRANTS TO DATE
Little Hocking Water Association	0	1,373
Lubeck Public Service District	0	1,491
City of Belpre	0	991
Mason County Public Service District	0	1,395
Tuppers Plains - Chester Water District	0	1,318
Village of Pomeroy	0	452
Private Water Source	0	346
Water District Not Identified by Registrant	0	352

\*Registrant may indicate multiple Water Districts / Sources.

## REGISTRANT DEFICIENCY REASONS

	TOTAL PARTICIPANTS
Deficient Registrants**	310
Registrants with only Administrative Deficiencies	42
Registrants with Documentation Deficiencies ***	268
Documentation not provided	48
Documents submitted do not establish a period of one year prior to December 4, 2004	53
Documents Submitted are not Legible	7
Documents with No Identification that Connects to Registrant	0
Documents with No Matching Eligible Address	160

\*\* Each Registrant may be deficient for one or more reasons

\*\*\*25 Registrants with Documentation Deficiencies also have Administrative Deficiencies

## INELIGIBLE REGISTRANTS

	TOTAL PARTICIPANTS
Ineligible Registrants	90
Previously Opted-Out of the Class	0
Registrant Born on or After December 4, 2003	4
Registrants Whose Private Water Sources Tested Below 0.05 ppb of PFOA	0
Registrations Filed on behalf of Deceased Individuals	86
Under Review: Intake/Data Entry	0

## CALL CENTER ACTIVITY

	WEEK ENDING 1/29/2016	CUMULATIVE CALLS TO DATE
Calls Received	18	6,600
a. Interactive Voice Response ("IVR") Only	10	1,378
b. Live Operator	8	5,222

# C-8MedicalMonitoringProgram.com

C-8MedicalMonitoringProgram.com

## WEBSITE ACTIVITY

	WEEK ENDING 1/29/2016	CUMULATIVE TO DATE
Unique Visitors	27	7,412
Page Views	56	17,137

## TIME TO APPOINTMENTS

	TOTAL
7 days or less	315
8-15 days	400
16-24 days	236
More than 24 days	783

## APPOINTMENTS BY MEDICAL MONITORING PARTICIPANT LOCATION

ZIP CODE	TOTAL
26101	144
45714	135
45750	67
26181	67
45723	67
45769	61
25550	58
26104	55
25123	55
45742	55
26105	48
45771	46
45784	37
25515	31
25253	30
45760	26
45772	24
45778	22
26150	22
25502	20
45735	20
45701	19
25241	19
26164	18
25271	18
45724	18
26187	17
45743	16
25287	15
26142	15
45631	15

# C-8MedicalMonitoringProgram.com

C-8MedicalMonitoringProgram.com

25541	15
45729	15
25260	14
25082	14
45779	11
26133	11
25503	11
45710	9
25520	9
25265	9
26184	9
26180	8
25239	8
45786	8
45775	7
25187	5
44077	5
43787	5
26103	5
33870	5
45764	5
35953	5
26143	5
34759	5
25705	4
25801	4
25106	4
32164	4
25504	4
80227	4
45720	4
45711	4
43105	4
43130	3
43947	3
25560	3
29715	3
25275	3
45783	3
25264	3
45744	3
45770	3
25177	3
25064	3
26138	3
25248	3
45768	3

# C-8MedicalMonitoringProgram.com

C-8MedicalMonitoringProgram.com

28117	1
20141	1
45777	1
46408	1
32720	1
26178	1
26146	1
45766	1
25703	1
26330	1
43140	1
45788	1
28462	1
26554	1
43231	1
33625	1
33947	1
45383	1
25314	1
29909	1
32766	1
45773	1
45614	1
45713	1
23322	1
43160	1
26508	1
29587	1
35758	1
21401	1
25033	1
43228	1
43082	1
45741	1
15357	1
45039	1
38501	1
29526	1
43068	1
91325	1
43081	1
45344	1
43123	1
26161	1
29461	1
43230	1
25559	1

# C-8MedicalMonitoringProgram.com

C-8MedicalMonitoringProgram.com

26415	1
25545	1
43754	1
23456	1
45373	1
27051	1
27703	1
43119	1
45776	1
27513	1
32931	1
26102	1
43213	1
45069	1
32724	1
41858	1
43219	1
39564	1
44127	1
45229	1
45255	1
45171	1
25143	1
26288	1
43050	1
46311	1
43026	1
25313	1
27301	1
45732	1
29440	1
45739	1
85365	1
45648	1
73012	1
45674	1
92648	1
43229	1
20686	1
43149	1
43021	1
40601	1
35901	1
25243	1
26421	1
26362	1
37075	1
45695	1



**CPT Code Summary Report**

**TOTAL SERVICES APPROVED FOR PAYMENT AS OF January 26, 2016**

CPT Code	Code Description	CPT Code Total
810	Anesthesia for lower intestinal endoscopic procedures, endoscope introduced distal to duodenum	17
36415	Routine Venipuncture	1055
45378	Colonoscopy , diagnostic	49
45380	Colonoscopy with biopsy, single or multiple	6
45384	Colonoscopy with removal of tumor(s)polyps by hot biopsy forceps or cautery	2
45385	Colonoscscopy with removal of tumors, polyp(s),or other lesion(s)by snare technique	3
71010	Chest X-ray, single view, frontal	1
71020	Chest X-ray, 2 views, frontal and lateral	11
74150	CT Scan of the abdomen without Contrast	31
74160	CT Scan of the abdomen with Contrast	10
74176	CT Scan of the abdoment and Pelvis without Contrast	1
74177	CT Scan of the abdomen and pelvis with Contrast	7
74181	MRI of the abdomen without contrast	12
74182	MRI of the abdomen without contrast	22
76700	Ultrasound, abdominal, real time with image documentation, complete	7
76870	Ultrasound, scrotum and contents	32
76870-26	Ultrasound, scrotum and contents	3
80061	Serum Lipid panel	510
81001	Urinalysis, by dip stick with microscopy	366
81003	Urinalysis, by dip stick without microscopy	630
81015	Microscopic Exam of Urine	8
82270-QW	Occult Blood Feces	2
82274	Assay Test for Blood Fecal	90
82542	C-8 (PFOA) Test	1533
84439	Thyroxine; free	355
84443	Thyroid Stimulating Hormone (TSH)	836
85025	Complete CBC w/AUTO DIFF WBC	274
85652	RBC SED Rate Automated	207
86140	C-Reactive Protein	110

86141	C-Reactive Protein HS	71
86300	Immunoassay Tumor CA 15-3	23
86301	Immunoassay Tumor CA 19-9	27
86304	Immunoassay Tumor CA 125	24
86376	Microsomal antibodies (thyroid or liver kidney)	248
86900	Histologic cell type	12
87493	Infectious agent detection by nucleic acid (DNA or RNA); Clostridium difficile, toxin gene(s), amplified probe technique	60
88305	Level IV - Surgical pathology, gross and microscopic examination	21
99201	New patient- Problem Focused	1
99202	New patient-Expanded Problem Focused	22
99203	Office/outpatient visit new presenting problems are of moderate severity. Physicians typically spend 30 minutes face to face.	556
99203-25	Office/outpatient visit new presenting problems are of moderate severity. Physicians typically spend 30 minutes face to face.	6
99204	Office/outpatient visit new presenting problems are of moderate to high severity. Physicians typically spend 45 minutes face to face.	99
99205	Office/outpatient visit new presenting problems are of moderate to high severity. Physicians typically spend 60 minutes face to face.	49
99211	Established patient- Minimal Eval.	1
99212	Established patient- Problem Focused	7
99213	Office/outpatient visit EST presenting problems are of low to moderate. Physicians typically spend 15 minutes face to face.	372
99214	Office/outpatient visit EST presenting problems are of moderate to high severity. Physicians typically spend 25 minutes face to face.	224
99214-25	Office/outpatient visit EST presenting problems are of moderate to high severity. Physicians typically spend 25 minutes face to face.	2
99215	Office/outpatient visit EST presenting problems are of moderate to high severity. Physicians typically spend 40 minutes face to face.	44
99215-25	Office/outpatient visit EST presenting problems are of moderate to high severity. Physicians typically spend 40 minutes face to face.	2
99242	Office Consult.Problem low in severity, 30 minute face to face	16
99243	Office consult for a New or Established patient. Problems moderate in severity. 40 minute face to face.	1
99244	Office consult for a New or Established patient. Problems moderate to high in severity. 60 minute face to face.	4
99245	Office consult for a New or Established patient. Problems moderate to high in severity. 80 minute face to face.	1
93000	This code approved by the director as a special exception	2
80048	This code approved by the director as a special exception	2
80076	This code approved by the director as a special exception	1
81002	This code approved by the director as a special exception	1
86901	This code approved by the director as a special exception	1
93005	This code approved by the director as a special exception	1

A9578	This code approved by the director incident to MRI	1
A9585	This code approved by the director incident to MRI	1
G0121	This code approved by the director incident to colonoscopy	1
J1170	This code approved by the director incident to colonoscopy	1
J2405	This code approved by the director as a special exception	3
J2250	This code approved by the director as a special exception	4
J3010	This code approved by the director incident to colonoscopy	1
J3490	This code approved by the director incident to colonoscopy	1
Q9967	This code approved by the director as a special exception incident to CT scan.	7
250	This code approved by the director incident to colonoscopy	5
258	This code approved by the director incident to colonoscopy	3
271	This code approved by the director incident to colonoscopy	1
272	This code approved by the director incident to colonoscopy	2
490	This code approved by the director as a special exception	1
255	This code approved by the director as a special exception incident to CT scan.	3
710	This code approved by the director incident to colonoscopy	2
no code provided	Incident of colonoscopy approved by director as a special exception	3
<b>Total Number of Services Approved for Payment</b>		<b>8,131</b>
<b>Total Amount Approved Payment</b>		<b>\$697,867.73</b>