

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: December 5, 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 50 Status Reports to the Court summarizing the progress and status of planning for implementation of the Medical Panel Protocols, most recently on November 21, 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 99,048.

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 December 2, 2016, which sets out in detail the current number of Program participants (6,659 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 November 22, 2016, by CPT Code.

ROZEN LAW FIRM, LLP

The Honorable Alan D. Moats and All Parties

December 5, 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 Program. As of December 2, 2016 a total of 5,938 Registrants have been deemed eligible for medical monitoring.

The Director convenes a bi-weekly status call with the parties during which the Director informs the parties of any new developments. The Director has informed the parties that de-identified data from the Program requested by the Panel has been prepared and will be sent to the Panel as soon as the Panel determines the types of reports it requires. On December 7, 2016, The Administrator's technical team, the Medical Director, and the Medical Panel will be conferring to discuss the format of the data for the transfer to the Medical Panel.

The Director has also advised the parties that the Panel has deemed it essential for its further analysis that it be provided access to data from the C-8 Health Project, currently held by West Virginia University ("WVU"). The parties and the Director agreed that as a result of the Court's January 25, 2013 Order to File C8 Science Panel Data and Establishing Criteria for Future Use of Data, the data could not be accessed without further Court order or consent of the individual participants. The Director, after discussion with and review by the Parties and WVU, sent cover letters and consent forms to each registrant who has participated in the Program requesting his or her consent to release their confidential data to the Medical Director solely for the purpose of allowing the Medical Panel to review de-identified data in order to inform the Panel's recommendations for further medical monitoring under the Program. Signed consents from program participants are now being received; approximately 70% of participants have sent in signed consent forms. The Director is working with WVU to determine how best to receive the C-8 Health Project Data so that the data can be de-identified and sent to the Medical Panel in a useful format. Discussions continue with WVU regarding a time-line and process.

The Director and the Administrator (Garden City Group), along with the Administrator's data experts, met with the Medical Panel on October 14, 2016 to discuss data issues. The Medical Panel was advised of the status of communications with West Virginia University regarding data from the C-8 Health Project. All of the Medical Panel's questions regarding the form and types of data they required from the Medical Director regarding this monitoring program were addressed. The Medical Panel is currently preparing a report to send to the parties explaining the status of their ongoing work.

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 December 2, 2016

POTENTIAL PARTICIPANTS

	TOTAL PARTICIPANTS
Potential Participants Sent Notice Packet	99,048
Registrations Received*	6,659
a. Eligible for Medical Monitoring	5,938
b. Duplicate Registrations	328
c. Ineligible (see page 2 for details)	108
d. Deficient (see page 2 for details)	259
e. Under Review	26
Affidavit of Class Membership Mailed	464
a. Affidavits Received	246
b. Affidavits Incomplete or Invalid	14
Physician Appointments Made by Eligible Class Members	2009
Physician Appointments Scheduled after 12/2/2016	2
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 12/2/2016	CUMULATIVE TO DATE
Number of Approved CPT Code Services	0	10,303
Total Amount Approved for Payment	\$0.00	\$846,447.76
Total Amount of Funds Disbursed to HealthSmart	\$1,850.90	\$847,318.80
Balance in DuPont Medical Monitoring Escrow Account (as of 8/31/2016)	\$0.00	\$670,128.24

C-8 HEALTH STUDY PARTICIPANTS

	WEEK ENDING 12/2/2016	CUMULATIVE REGISTRANTS TO DATE
Participant	0	6,101
Non-Participant	0	558

C-8MedicalMonitoringProgram.com

C-8MedicalMonitoringProgram.com

WATER DISTRICTS / SOURCES (AS REPORTED BY REGISTRANT)*

	WEEK ENDING 12/2/2016	CUMULATIVE REGISTRANTS TO DATE
Little Hocking Water Association	0	1,387
Lubeck Public Service District	0	1,507
City of Belpre	0	1,002
Mason County Public Service District	0	1,409
Tuppers Plains - Chester Water District	0	1,331
Village of Pomeroy	0	457
Private Water Source	0	352
Water District Not Identified by Registrant	0	354

*Registrant may indicate multiple Water Districts / Sources.

REGISTRANT DEFICIENCY REASONS

	TOTAL PARTICIPANTS
Deficient Registrants**	259
Registrants with only Administrative Deficiencies	45
Registrants with Documentation Deficiencies ***	214
Documentation not provided	41
Documents submitted do not establish a period of one year prior to December 4,	50
Documents Submitted are not Legible	5
Documents with No Identification that Connects to Registrant	0
Documents with No Matching Eligible Address	118

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

***20 Registrants with Documentation Deficiencies also have Administrative Deficiencies

INELIGIBLE REGISTRANTS

	TOTAL PARTICIPANTS
Ineligible Registrants	108
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	104
Under Review: Intake/Data Entry	0

CALL CENTER ACTIVITY

	WEEK ENDING 12/2/2016	CUMULATIVE CALLS TO DATE
Calls Received	11	7,694
a. Interactive Voice Response ("IVR") Only	4	1,671
b. Live Operator	7	6,023

C-8MedicalMonitoringProgram.com

C-8MedicalMonitoringProgram.com

WEBSITE ACTIVITY

	WEEK ENDING 12/2/2016	CUMULATIVE TO DATE
Unique Visitors	19	9,657
Page Views	33	21,475

TIME TO APPOINTMENTS

	TOTAL
7 days or less	382
8-15 days	478
16-24 days	287
More than 24 days	862

APPOINTMENTS BY MEDICAL MONITORING PARTICIPANT LOCATION

ZIP CODE	TOTAL
45714	171
26101	161
26181	84
45750	75
25550	75
45723	74
26104	72
25123	66
45769	66
45742	60
26105	57
45771	54
45784	42
25515	31
45760	30
25253	30
45724	28
45735	27
45701	25
45772	25
26150	25
25241	24
45778	24
25502	22
25287	19
25271	19
26164	19
45729	19
26187	18
45743	17
45631	17
25541	16

C-8MedicalMonitoringProgram.com

C-8MedicalMonitoringProgram.com

25260	16
25082	16
26142	16
45779	14
25503	14
26133	13
25265	10
26184	10
45710	9
25520	9
26180	9
45775	9
25239	8
45786	8
32164	6
25264	6
33870	5
35953	5
45764	5
34759	5
25187	5
44077	5
26103	5
43105	4
43787	4
80227	4
45711	4
25560	4
25314	4
25705	4
26143	4
25801	4
25106	4
45620	4
25504	4
45720	4
43068	3
43725	3
45770	3
26170	3
25064	3
25177	3
26138	3
25248	3
45745	3
43701	3
45768	3
40409	3

C-8MedicalMonitoringProgram.com

C-8MedicalMonitoringProgram.com

25526	3
43947	3
33919	3
43130	3
45744	3
25312	3
29715	3
25275	3
45783	3
26346	2
43056	2
45669	2
85718	2
25414	2
28273	2
45686	2
32162	2
26426	2
45782	2
43731	2
34788	2
26362	2
45623	2
25213	2
25701	2
34429	2
44140	2
45177	2
44805	2
45694	2
45767	2
74959	2
89130	2
24185	2
40517	2
43138	2
43055	2
16063	2
26102	2
23089	2
45056	2
43147	2
78028	2
26169	2
43204	2
45712	2
36602	2
31305	2

C-8MedicalMonitoringProgram.com

C-8MedicalMonitoringProgram.com

33542	2
45373	2
45740	2
63139	1
27051	1
28412	1
26141	1
91325	1
43081	1
45344	1
52246	1
43123	1
26161	1
29461	1
45741	1
15357	1
23123	1
43228	1
25311	1
43082	1
48503	1
45781	1
43230	1
25559	1
41858	1
29579	1
27703	1
43119	1
25362	1
25545	1
43754	1
23456	1
45776	1
32931	1
27513	1
43213	1
15061	1
32724	1
45069	1
46311	1
43026	1
25143	1
26288	1
43050	1
25313	1
27301	1
45732	1
48572	1

C-8MedicalMonitoringProgram.com

C-8MedicalMonitoringProgram.com

29440	1
45739	1
43209	1
43219	1
39564	1
44127	1
45229	1
45255	1
45171	1
45648	1
73012	1
45674	1
20686	1
43149	1
43021	1
19446	1
92648	1
43229	1
85365	1
40601	1
45331	1
35901	1
37075	1
45695	1
25243	1
26421	1
45614	1
45713	1
23322	1
33947	1
45383	1
41005	1
32958	1
15108	1
29909	1
32766	1
45773	1
43160	1
31632	1
26554	1
43231	1
33625	1
43140	1
25303	1
45788	1
28462	1
45039	1
38501	1
29526	1
25302	1

20141	1
23112	1
45385	1
26146	1
45766	1
26330	1
28117	1
46408	1
32720	1
26178	1
26508	1
29587	1
35758	1
21401	1
25033	1

CPT Code Summary Report

TOTAL SERVICES APPROVED FOR PAYMENT AS OF November 22, 2016

CPT Code	Code Description	CPT Code Total
810	Anesthesia for lower intestinal endoscopic procedures, endoscope introduced distal to duodenum	18
36415	Routine Venipuncture	1292
45378	Colonoscopy , diagnostic	53
45380	Colonoscopy with biopsy, single or multiple	7
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	4
71010	Chest X-ray, single view, frontal	1
71020	Chest X-ray, 2 views, frontal and lateral	13
74150	CT Scan of the abdomen without Contrast	36
74160	CT Scan of the abdomen with Contrast	14
74176	CT Scan of the abdomen and Pelvis without Contrast	1
74177	CT Scan of the abdomen and pelvis with Contrast	8
74181	MRI of the abdomen without contrast	12
74182	MRI of the abdomen with contrast	28
76700	Ultrasound, abdominal, real time with image documentation, complete	9
76870	Ultrasound, scrotum and contents	34
76870-26	Ultrasound, scrotum and contents	5
80061	Serum Lipid panel	668
81001	Urinalysis, by dip stick with microscopy	463
81003	Urinalysis, by dip stick without microscopy	809
81015	Microscopic Exam of Urine	8
82270-QW	Occult Blood Feces	2
82274	Assay Test for Blood Fecal	121
82542	C-8 (PFOA) Test	1814
84439	Thyroxine; free	443
84443	Thyroid Stimulating Hormone (TSH)	1068
85025	Complete CBC w/AUTO DIFF WBC	314
85051	RBC SED RATE NONAUTOMATED (Manual)	1
85652	RBC SED Rate Automated	233

86140	C-Reactive Protein	125
86141	C-Reactive Protein HS	79
86300	Immunoassay Tumor CA 15-3	26
86301	Immunoassay Tumor CA 19-9	31
86304	Immunoassay Tumor CA 125	25
86376	Microsomal antibodies (thyroid or liver kidney)	316
86900	Histologic cell type	14
87493	Infectious agent detection by nucleic acid (DNA or RNA); Clostridium difficile, toxin gene(s), amplified probe technique	75
88305	Level IV - Surgical pathology, gross and microscopic examination	22
88307	Surgical Pathology, gross and microcopic examination	1
99201	New patient- Problem Focused	1
99202	New patient-Expanded Problem Focused	24
99203	Office/outpatient visit new presenting problems are of moderate severity. Physicians typically spend 30 minutes face to face.	674
99203-25	Office/outpatient visit new presenting problems are of moderate severity. Physicians typically spend 30 minutes face to face.	11
99204	Office/outpatient visit new presenting problems are of moderate to high severity. Physicians typically spend 45 minutes face to face.	137
99205	Office/outpatient visit new presenting problems are of moderate to high severity. Physicians typically spend 60 minutes face to face.	63
99211	Established patient- Minimal Eval.	1
99212	Established patient- Problem Focused	74
99213	Office/outpatient visit EST presenting problems are of low to moderate. Physicians typically spend 15 minutes face to face.	624
99213-25	Office/outpatient visit EST presenting problems are of low to moderate. Physicians typically spend 15 minutes face to face.	1
99214	Office/outpatient visit EST presenting problems are of moderate to high severity. Physicians typically spend 25 minutes face to face.	321
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.	51
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	38
99243	Office consult for a New or Established patient. Problems moderate in severity. 40 minute face to face.	4
99244	Office consult for a New or Established patient. Problems moderate to high in severity. 60 minute face to face.	5
99245	Office consult for a New or Established patient. Problems moderate to high in severity. 80 minute face to face.	3
99385	This code approved by the director as a physician visit for monitoring	1
99395	This code approved by director incident to monitoring visit.	3

99396	This code approved by director incident to monitoring visit.	7
93000	This code approved by the director as a special exception	3
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	3
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 incident to colonoscopy	6
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.	10
250	This code approved by the director incident to colonoscopy	5
258	This code approved by the director incident to colonoscopy	3
270	This code approved by the director incident to CT scan	2
271	This code approved by the director incident to colonoscopy	1
272	This code approved by the director incident to colonoscopy	2
301	This code approved by the director incident to CT Scan	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.	4
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
Total Number of Services Approved for Payment		10,303
Total Amount Approved Payment		\$846,447.76