

FUND A BENEFITS

1. The Deadline for Seeking Certain Fund A Benefits Has Passed

The Settlement provided five different Fund A benefits. Three benefits had deadlines of August 1, 2002 (referred to as "Date 1" in the Settlement Agreement) for submitting the necessary claim Form. You must have registered your claim on or before August 1, 2002, to be eligible for these Fund A benefits:

- Free Echocardiogram and visit with a doctor in the Screening Program
- Reimbursement for Echocardiogram obtained outside the Screening Program, if the Trust had enough funds
- Prescription Cost Refunds

It is the Trust's position that you are not registered for these Benefits unless you submitted a PINK Form or a BLUE Form postmarked on or before August 1, 2002 containing at least the following information:

- Your name, address, and Social Security Number in Question 1;
- An answer to Question 7, 8, or 9 indicating Diet Drug use; and
- Your signature.

If you failed to submit a timely Form with this information, the Trust will take the position that you are not registered and cannot receive the three Fund A benefits listed above.

2. Other Fund A Benefits Still Available

You may still qualify for the two other Fund A benefits described in this Section if you act by **May 3, 2003**.

a. Cash or Additional Medical Services

If you took Pondimin[®] and/or Redux[™] for 61 days or more and have been diagnosed with FDA Positive regurgitation by a qualified physician on the basis of an Echocardiogram performed at any time after the start of your use of Pondimin[®] and/or Redux[™] but on or before January 3, 2003, you have a right to receive either \$6,000 in cash or \$10,000 in heart valve-related medical services, such as periodic visits with a doctor and ongoing evaluations by Echocardiograms.

If you took Pondimin[®] and/or Redux[™] for 60 days or less and have been diagnosed with FDA Positive regurgitation by a qualified physician on the basis of an Echocardiogram performed at any time after the start of your use of Pondimin[®] and/or Redux[™] but on or before January 3, 2003, you have a right to receive either \$3,000 in cash or \$5,000 in heart valve-related medical services, such as periodic visits with a doctor and ongoing evaluations by Echocardiograms.

As described in Section B.2.c of this Notice, if the Echocardiogram you will be relying upon will be performed in the Trust's Screening Program and your Echocardiogram test has not yet occurred, you have until July 3, 2003, to be diagnosed by that Echocardiogram, instead of until January 3, 2003, as noted in the two preceding paragraphs of this Section B.2.a, to obtain the benefit described. If you received notice from the Trust that you are eligible for the Screening Program benefit, you must exercise diligence and schedule your

Screening Program Echocardiogram as soon as possible. For more information on the consequences of failing to make a timely appointment, see Frequently Asked Question No. 7 in Section F of this Notice.

This benefit is often referred to as the “Cash/Med Benefit.” The Cash/Med Benefit is available to eligible Diet Drug Users. It is not available to Representative Claimants or Derivative Claimants.

If you did not timely register your claim by filing a PINK Form or BLUE Form by the August 1, 2002 deadline to be eligible to participate in the Trust’s Screening Program, you may nevertheless seek this Cash/Med Benefit on the basis of the results of a privately obtained Echocardiogram. However, to do so you must mail the Trust a **BLUE Form postmarked no later than May 3, 2003**. In the BLUE Form, you will elect whether you wish to receive the cash payment or additional medical services, if you qualify, and you will need to establish that you had a privately obtained Echocardiogram by January 3, 2003, that diagnosed you with FDA Positive regurgitation by a qualified physician.

WARNING: If you do not mail the Trust your BLUE Form postmarked no later than May 3, 2003, you will forever give up your rights to the Cash/Med Benefit. Although you should complete the BLUE Form in its entirety to facilitate the processing of your claim, it is the Trust’s position that you must at least provide your name, address, and Social Security Number in Question 1, sign the Form, and answer Question 7, 8, or 9 to be treated by the Trust as having registered your claim. If your BLUE Form does not contain at least this information, the Trust will take the position that your claim is not registered and that you cannot receive any benefits under the Settlement Agreement.

To complete the file on your claim for the Cash/Med Benefit and be paid, you will also have to supply the Trust with: (1) your prescription records documenting your use of Pondimin[®] and/or Redux[™] and how long you took the drugs as described in the BLUE Form; (2) a copy of the written report of the Echocardiogram upon which your claim is based, demonstrating an FDA Positive diagnosis; (3) for an Echocardiogram done on or after September 30, 1999, a **GRAY Form** completed and signed by a qualified cardiologist; and (4) the tape or disk from the Echocardiogram. The Echocardiogram report and GRAY Form must show FDA Positive regurgitation diagnosed by an Echocardiogram performed after you started using the diet drugs but on or before January 3, 2003 (or, if applicable on or before July 3, 2003, as described in Section B.2.c below). The GRAY Form is not subject to the May 3, 2003 deadline for filing your BLUE Form. However, you are encouraged to have a GRAY Form completed and signed by a qualified cardiologist and to file it with the Trust as soon as possible after receiving the results of your Echocardiogram. The Trust will notify you of any deadline set for the GRAY Form in the future. If you received your Echocardiogram through the Trust’s Screening Program, you do not have to send in items (2), (3), or (4) yourself, because the Trust will obtain them directly from the cardiologist who provided you with your Echocardiogram in the Screening Program. If you and your cardiologist submit a properly completed GREEN Form reporting on the same Echocardiogram, you do not also have to submit a GRAY Form.

Echocardiograms done before September 30, 1999, are subject to certain special rules regarding what must be filed to report their results to the Trust for purposes of Fund A Benefits. Consult Section VI.C.2.e of the Settlement Agreement for those requirements.