

APPENDIX A1

COURT APPROVED PROTOCOL

RECENT HCV DIAGNOSIS EXCEPTION TO THE JUNE 30, 2010 FIRST CLAIM DEADLINE

REISSUED WITHOUT REVISIONS AUGUST 2024

This protocol applies to section 3.08(b) of the Transfused HCV Plan and section 3.07(b) of the Hemophiliac HCV Plan (the “**Plans**”). For greater certainty, this protocol does not apply to the HCV Late Claims Benefit Plan.

The court approved protocol—Requirements for the Exceptional Filing of Claims after Applicable Time Limits shall not have any force and effect after June 30, 2010.

ISSUANCE OF AN INITIAL CLAIM PACKAGE

1. The Administrator shall issue an Initial Claim Package upon request, notwithstanding that the request is made after the June 30, 2010 first claim deadline contained in the Plans, in the circumstances where the HCV Infected Person first learned of his or her infection with HCV within the three (3) years prior to the date the claimant first advised the Administrator of a potential claim (such circumstances to be referred to as the “**Recent HCV Diagnosis**”), provided the claimant submits a signed statement to that effect and an HCV Antibody Test report dated within the said three (3) year timeframe.
2. When issuing the Initial Claim Package to a claimant the Administrator shall advise the claimant in writing that:
 - (a) the deadline to deliver the completed Initial Claim Package to the Administrator is the later of six (6) months from the date the Initial Claim Package is issued to the claimant or within three (3) years from the date the HCV Infected Person first learned of his or her infection with HCV (the “**Completed Package Delivery Deadline**”);
 - (b) if the claimant is unable to deliver the completed Initial Claim Package to the Administrator by the Completed Package Delivery Deadline, the claimant must

submit a “Request Form – Completed Package Delivery Deadline Extension” attached as Appendix “A” (the “**Request Form**”) to the Administrator before the Completed Package Delivery Deadline expires if the claimant wishes to maintain the right to submit a Claim; and

- (c) if the Administrator does not receive the completed Initial Claim Package or the completed Request Form by the Completed Package Delivery Deadline, the Administrator will deny the Claim.

COMPLETED PACKAGE DELIVERY DEADLINE EXTENSION REQUEST

- 3. A request to extend the Completed Package Delivery Deadline must be made before the Completed Package Delivery Deadline expires. The Request Form shall be provided by the Administrator to claimants upon request and shall also be made available on the Administrator’s website.
- 4. The claimant will be required to set out:
 - (a) the steps already taken to complete the Initial Claim Package;
 - (b) the reasons why the Initial Claim Package has not been completed to date; and
 - (c) the new steps the claimant proposes to take to complete the Initial Claim Package and how long these steps will take.
- 5. Upon receipt of a completed Request Form, the Administrator shall forthwith review it and determine if the Request Form sets out a plan that could reasonably result in the completion of the Initial Claim Package. If so, the Administrator shall grant the extension, which shall not exceed six (6) months from the date the Request Form is submitted. The Administrator shall communicate the length of the extension and the terms on which it is granted by sending the claimant a “Notice of Extension of Completed Package Delivery Deadline” substantially in the form attached as Appendix “B”.
- 6. If, upon reviewing a Request Form, the Administrator determines that it does not set out a plan that could reasonably result in the completion of the Initial Claim Package, the

Administrator shall deny the Claim and shall send the claimant a “Rejection Letter” substantially in the form attached as Appendix “C”.

7. If the claimant has not submitted a completed Initial Claim Package or a completed Request Form on or before the Completed Package Delivery Deadline, the Administrator shall deny the Claim and shall send the claimant a “Rejection Letter” substantially in the form attached as Appendix “D”.
8. If a claimant has obtained an extension of the Completed Package Delivery Deadline but has failed to submit a completed Initial Claim Package on or before the extended Completed Package Delivery Deadline expires, the Administrator shall deny the Claim and shall send the claimant a “Rejection Letter” substantially in the form attached as Appendix “E”.

PROCESSING THE COMPLETED INITIAL CLAIM PACKAGE

9. The issuance of an Initial Claim Package pursuant to this protocol shall not be determinative of the eligibility of the claimant to receive compensation. Where the Administrator receives a timely completed Initial Claim Package, it shall process the Claim and determine eligibility for compensation by applying the terms of the Settlement Agreement in light of the court approved protocols and standard operating procedures which are in place under the Plans at the time of processing.
10. If, during the processing of the Claim, the Administrator becomes aware of information which causes it to believe that the HCV Infected Person first learned of his or her infection with HCV more than three (3) years prior to the date that the claimant first advised the Administrator of a potential claim, the Administrator shall deny the Claim and shall send the claimant a “Rejection Letter” substantially in the form attached as Appendix “F”.

DENIED CLAIMS

11. Where the Administrator denies a Recent HCV Diagnosis Claim in accordance with the provisions of this protocol, the Administrator shall also notify the claimant in writing that:
 - (a) the appeal route at section 10.01 of the relevant Plan applies; and

- (b) the claimant shall not be estopped from seeking to advance a Late Claim under the HCV Late Claims Benefit Plan or other relevant court approved protocol or court order.