

EXHIBIT A

Proof of Use and Proof of Injury Review Process

Plaintiff Questionnaire Process

- Complete Proof of Use/Injury Questionnaire online and upload supporting documents using a secure portal with BrownGreer
- Any Plaintiff needing a hard copy Use/Injury Questionnaire must contact BrownGreer to obtain one on a special basis
- Plaintiff named in the Questionnaire as the Product user must sign, unless the Product user is deceased, legally incapacitated, or a minor under applicable state law. In those situations, the person with legal authority to act on behalf of the Product user and registered as such in MDL Centrality must sign. Each signature is made under penalty of perjury. A lawyer may not sign for a Plaintiff (or the representative acting for a deceased, legally incapacitated, or minor Plaintiff), even if the lawyer holds a power of attorney from the Plaintiff (or representative).

Proof of Use Requirements Overview

Formatting

- •Upload no more than five pages of documents as proof of administration of a Requisite Product for a Requisite Product identified by the Plaintiff. If more than one Product identified, may upload up to five pages for each Product.
- •No photographs or screenshots of materials may be submitted unless first converted to a PDF format.
- •Plaintiff must bookmark in each Product Proof PDF set the page(s) that the Plaintiff relies on as proof that the Requisite Product was administered. Any Plaintiff or counsel needing assistance with how to bookmark a PDF may contact BrownGreer.

- Proof must include:
- •Plaintiff's name
- Date of the action recorded in the document (such as date prescribed, date dispensed, etc.)
- •Name of a Requisite Product

Substance

• Requisite Product was administered to the Plaintiff (i.e., that it was prescribed, sold, dispensed, cost reimbursed or covered by insurance, or other action sufficient to indicate the use or dispensation of the Requisite Product to or by the Plaintiff)

- Prescription Record
- Medical Record: Recitation in a record that the Plaintiff reported to have been administered the Requisite Product, in a patient history or notes of patient discussions, will be considered sufficient, for purposes of the threshold Use/Injury Questionnaire only, to show the Plaintiff had been administered that Requisite Product.*
- Insurance Record
- Pharmacy Record
- •Sworn declaration: A sworn statement under penalty of perjury by a healthcare provider or pharmacist that the Requisite Product was administered to the Plaintiff, either notarized or stated as subject to 28 U.S.C. § 1746. An unsworn statement from any person is not acceptable.
- Photographs of a Requisite Product: An image of the product enclosure (box) of the Requisite Product or a syringe indicating the name of the Requisite Product and the Plaintiff's name (converted to a PDF format).
- Note: A document presented as a Prescription Record, Medical Record, Insurance Record, or Pharmacy Record must have been created at or near the time of the events recorded in the document.

Types of Acceptable Proof of Use

^{*} The Court is not determining at this time whether such a patient history will ultimately constitute adequate proof of use for purposes of this litigation; the patient history is being used for a threshold determination of completeness for purposes of the Deficiency Procedure only.

Proof of Injury Requirements Overview

Formatting

- Upload **no more than five pages of documents** as proof of diagnosis of a Requisite Physical Injury for a diagnosis identified by the Plaintiff. If more than one diagnosis identified, may upload up to five pages for each diagnosis.
- •No photographs or screenshots of materials may be submitted unless first converted to a PDF format.
- Plaintiff must bookmark in each Diagnosis Proof PDF set the page(s) that the Plaintiff relies on as proof of diagnosis of a Requisite Physical Injury. Any Plaintiff or counsel needing assistance with how to bookmark a PDF may contact BrownGreer.

Substance

- Proof must include
- •Plaintiff's name
- •Requisite Physical Injury diagnosed
- Diagnosis of Requisite Physical Injury was made for Plaintiff
- Date of diagnosis
- Date of diagnosis was within one year of the date of diagnosis for that Requisite Physical Injury entered by the Plaintiff in Questionnaire

Types of
Acceptable Proof
of Diagnosis

- Medical Record: Diagnosis only in a patient history or notes of patient discussions will not be considered sufficient to show the Plaintiff had been so diagnosed.
- •Insurance Record
- Sworn Declaration: A sworn statement under penalty of perjury by a healthcare provider that the Plaintiff was diagnosed with the Requisite Physical Injury and the date of such diagnosis, either notarized or stated as subject to 28 U.S.C. § 1746. A declaration from the Plaintiff or anyone associated with the Plaintiff, such as a friend or family member, is not acceptable. An unsworn statement from any person is not acceptable.
- •Note: A document presented as a Medical Record or Insurance Record must have been created at or near the time of the events recorded in the document.

What is the deficiency process for Proof of Use/Injury?

