

# IMPORTANT INFORMATION ABOUT FILING ASBESTOS LAWSUITS RELATED TO FELT PRODUCTS MANUFACTURING CO. ("FEL-PRO") AND/OR THE FORMER VELLUMOID DIVISION OF FEDERAL-MOGUL CORPORATION ("VELLUMOID")

On October 1, 2001 (the "**Petition Date**"), Federal-Mogul Corporation ("**FMC**") and various subsidiaries (the "**Debtors**") filed Chapter 11 bankruptcy cases in the United States. On November 8, 2007 the United States Bankruptcy Court for the District of Delaware ("**Bankruptcy Court**") entered an order confirming Debtors' Plan of Reorganization (the "**Confirmation Order**"). The District Court affirmed the Confirmation Order on November 14, 2007 and the Debtors' Plan of Reorganization (the "**Plan**") to allow Federal-Mogul to emerge from bankruptcy. The Plan took effect on December 27, 2007 (the "**Effective Date**").

As required by the Plan, the Federal-Mogul Asbestos Personal Injury Trust (the "**Trust**") was established on the Effective Date to process and pay all valid asbestos personal injury claims against Federal-Mogul companies. The rules under which payments can be made are explained in the Federal-Mogul Asbestos Personal Injury Trust Distribution Procedures approved by the Bankruptcy Court (the "**TDP**").

Historically, the Debtors had six streams of liability for asbestos personal injury claims. The Trust is established to accept claims related to these streams which include:

- (1) T&N Limited (US/UK/Rest of World) ("**T&N**"),
- (2) Flexitallic Gasket Company (now known as Gasket Holdings, Inc.) ("**Flexitallic**"),
- (3) Ferodo America, Inc. ("**Ferodo**"),
- (4) Federal-Mogul Products, Inc. ("**FMP**"),
- (5) Fel-Pro, and
- (6) Vellumoid.<sup>1</sup>

The Trust is currently developing procedures for filing claims against T&N, Flexitallic, Ferodo, and FMP. However, procedures have already been developed for Fel-Pro and Vellumoid. *The questions and answers below involve claims filed against Fel-Pro and Vellumoid only.*

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<sup>1</sup> Vellumoid is a separate and distinct entity from Vellumoid, Inc. of Worcester, Massachusetts, and the procedures described herein do not apply to claims against Vellumoid, Inc.

## Are claims against Fel-Pro and Vellumoid handled differently than claims against other asbestos trusts?

Yes. Fel-Pro and Vellumoid claimants must file a lawsuit against the Trust in federal or state court. These cases will be defended and handled in the court system under applicable tort law.

The Plan, Confirmation Order, and TDP prohibit claimants from directly suing FMC, Fel-Pro, and any insurer or excess insurer of these entities for Fel-Pro or Vellumoid claims.

## What is the first step in pursuing compensation for asbestos injuries?

A claimant who believes he or she was exposed to asbestos products of Fel-Pro or Vellumoid and seeks compensation for asbestos-related injuries should first file a lawsuit against the Trust in the proper state or federal court.

Specifically, a person asserting a claim must sue the “Federal-Mogul Asbestos Personal Injury Trust as successor to Felt-Products Manufacturing Co.” or the “Federal-Mogul Asbestos Personal Injury Trust as successor to the former Vellumoid division of Federal-Mogul.”

## How can service of process be made?

The Trust may be served pursuant to applicable federal or state law at the following address:

Federal-Mogul Asbestos Personal Injury Trust  
As successor to Felt Products Manufacturing Co. and/or  
the former Vellumoid division of Federal-Mogul Corporation  
c/o Wilmington Trust SP Services, Inc.  
1105 N. Market Street, Suite 1300  
Wilmington, DE 19801

Although claimants may seek to contact the Trust, the Trust strongly recommends that any communication be in writing to the name and address above. If a person having a claim against Fel-Pro or Vellumoid fails to file a suit asserting the claim expeditiously in the proper state or federal court, the insurers may deny coverage.

## What if a claimant already has a lawsuit pending against either Fel-Pro or Vellumoid?

If a lawsuit is currently pending, the plaintiff must file and serve an amendment to the lawsuit substituting the Trust as successor to Fel-Pro and/or Vellumoid as applicable, as a party defendant by June 24, 2008. A pending lawsuit will be deemed barred by the statute of limitations if (i) the plaintiff has notice of the requirements to substitute the proper party (the Trust) and amend the lawsuit; (ii) the plaintiff fails to substitute the proper parties and amend the lawsuit by June 24, 2008, and (iii) the defense of the lawsuit has been materially prejudiced by such lack of compliance.

## Are there any statutes of limitations other than the June 24, 2008 limitation for substituting the Trust as a party?

If an action is not already pending, the generally applicable statutes of limitation apply to the assertion of a claim, subject to any provision of applicable law that tolls the statute of limitations as a result of the pendency of the Chapter 11 bankruptcy cases. In some jurisdictions, the statute of limitations may not be tolled. Local law must be consulted to determine both the applicable statute of limitations and the applicable tolling provisions.

## Can a single complaint assert claims against both Fel-Pro and Vellumoid?

Yes. If the claimant was exposed to both products of Fel-Pro and Vellumoid, a single complaint may assert claims against Fel-Pro and Vellumoid. However, Fel-Pro and Vellumoid are separate and distinct legal entities and will be treated as separate and distinct defendants in the court system under applicable tort law. The Trust as a successor to each individual company must be named as a defendant in any lawsuit asserting a claim against Fel-Pro and Vellumoid.

## Where can lawsuits against the Trust be filed?

A claimant may file suit in the federal or state court of his or her choosing as permitted under applicable federal or state law. The suit remains subject, however, to all defenses, including those based on venue, forum *non conveniens*, and jurisdiction.

## Can class actions be filed?

No. All lawsuits must be brought by individual claimants.

**Can a claim for punitive damages or for spoliation of evidence be brought against the Trust?**

No. Section 5.3(b) of the TDP prohibits such claims.

**Will the Trust defend these lawsuits?**

Yes. The Trust intends to tender these lawsuits to the Fel-Pro and Vellumoid insurers and the Trust expects these insurers to defend these lawsuits in the court system or to settle these lawsuits as the insurers think appropriate. The Fel-Pro and Vellumoid insurers may assert any and all defenses that were available to Fel-Pro or Vellumoid prior to the bankruptcy.

**How quickly will the Trust respond to a complaint/lawsuit?**

Generally, responses to lawsuits are subject to deadlines established by the state or federal courts where the suit is filed, but the TDP automatically extends any of these deadlines by an additional twenty (20) days for the Trust.

**What if a Fel-Pro/Vellumoid claimant also has claims against T&N, Flexitallic, Ferodo, or FMP?**

A claimant who has filed a lawsuit against the Trust as successor to either Fel-Pro or Vellumoid in the court system may also have claims against T&N, Flexitallic, Ferodo, or FMP if the claimant was exposed to asbestos products manufactured or sold by these companies. Claims against T&N, Flexitallic, Ferodo, or FMP cannot be included in the claimant's Fel-Pro/Vellumoid lawsuit. Please refer to the TDP for instructions on how to initiate a claim against one or more of these companies.

**Who can I contact if I have additional questions?**

If you have any additional questions, you may contact Kathleen Campbell Davis at (302) 426-1900. When calling, please indicate that you are calling regarding Fel-Pro/Vellumoid claims.