

Stryker Modular Hip Settlement

REGISTRATION UPDATE FAQs

RU.1 Why do I need to update my registration?

To help with overall case management, the federal MDL and New Jersey MCL Courts issued a court-ordered registration update for all patients who were implanted with an ABG II Modular or Rejuvenate Modular hip in order to manage the litigation and docket. The purpose of the registration is to have all such patients register and/or update some basic information to the extent it has changed.

Please note: These Court Orders apply **only** to patients with unresolved claims and applies whether or not the patient has filed a lawsuit, whether or not the implant has been removed, and whether or not the patient is represented by an attorney. All patients must register or update their registration by the updated registration deadline of **July 15, 2016**.

RU.2 Under what circumstances does my registration need to be updated?

Since registering, there may be new or a change to circumstances requiring an update to your registration information. These may include (but are not limited to):

- You have moved/have a new address;
- You are now represented by counsel and/or new counsel;
- Your case venue has changed;
- Change in marital status;
- You have complications that were not present at time of initial registration, such as:
 - A new or additional revision surgery;
 - A new or additional follow up surgery;
 - A new or additional infection in the affected hip;
 - A new or additional diagnosis of a pulmonary embolism, deep vein thrombosis or stroke within 72 hours of your revision surgery or follow-up surgery;
 - Your loved one has died since the initial registration period.

If there are no changes to your circumstances since your initial registration, then there is no need to update your registration at this time. If you are uncertain if you need to update your registration information, please call the Registration Processor at 1-855-382-6404 or send an email to toregistrationprocessor@StrykerModularHipSettlement.com.

RU.3 When is the Registration Update Deadline?

The updated deadline to register or update your registration information is **July 15, 2016**.

RU.4 Why do I need to update my Registration by the updated registration deadline of July 15, 2016?

Registration is formally ordered by the federal MDL and New Jersey MCL courts. Failing to register or update your registration information by the updated registration deadline of **July 15, 2016** means you are not in compliance with the Courts' Orders.

This court-ordered registration process is separate from the prior Settlement Program. As a result, registering with the Registration Processor does not enroll you in the Settlement Program.

RU.5 How do I update my Registration?

To update your information, please login to the **Registration Portal** and follow the instructions for how to submit registration updates. Patients who are not already represented by an attorney do not need one in order to register or to update their registration information. Registering or updating your registration information does not mean you are participating in the prior Settlement Program.

REGISTRATION FAQs

R.1 What is Registration?

Registration is the court-ordered process that requires all patients who were implanted with an ABG II Modular Neck Hip Stem or Rejuvenate Modular Neck Hip Stem, and have not previously resolved their claims, to submit basic information. This Court Order applies whether or not the patient intends to assert or already has a claim or filed lawsuit, whether or not the implant has been removed, and/or whether or not the patient is represented by an attorney. All patients must register or update their registration information with any new circumstances by the updated registration deadline of **July 15, 2016**.

This court-ordered registration process is separate from the prior Settlement Program. Registering or updating your registration information does not mean you are participating in Stryker's Settlement Program.

R.2 When is the Registration Deadline?

The updated deadline to register or update your registration information with the Registration Processor is **July 15, 2016**.

R.3 Why do I need to register by the updated registration deadline of July 15, 2016?

Registration is formally ordered by the federal MDL and New Jersey MCL courts. Failing to register or update your registration information by the updated registration deadline of **July 15, 2016** means you are not in compliance with the Courts' Orders.

This court-ordered registration process is separate from the prior Settlement Program. As a result, registering or updating your registration information does not mean you are participating in Stryker's Settlement Program.

R.4 How do I register?

Please click on the **Registration** tab and follow the instructions tab to submit your information. Patients should speak with their attorney, if they have one, or contact the Registration Processor at 1-855-382-6404 with questions or by emailing registrationprocessor@StrykerModularHipSettlement.com. Patients do not need an attorney to register or otherwise participate in the Settlement Program.

R.5 I have not filed a lawsuit, do I have to register?

Yes. Pursuant to the Courts' Orders, all patients who were implanted with an ABG II Modular Neck Hip Stem or a Rejuvenate Modular Neck Hip Stem must register, regardless of whether they have a claim pending or plan on bringing a claim. Additionally, those patients who have not previously resolved their claims must update their registration information with the Registration Processor, regardless of whether they have filed a lawsuit. You must register or update your registration information with the Registration Processor by the updated registration deadline of **July 15, 2016**.

R.6 I don't have an attorney, do I have to register?

Yes. Pursuant to the Courts' Orders, all patients who were implanted with an ABG II Modular Neck Hip Stem or a Rejuvenate Modular Neck Hip Stem must register, regardless of whether they have a claim pending or plan on bringing a claim, or if they are represented by an attorney. Additionally, those patients who have not previously resolved their claims must update their registration information if there is a change in initial registration information with the Registration Processor, regardless of whether they are represented by an attorney.

R.7 My implant was removed after November 3, 2014. Do I have to register or update my registration?

Yes. Pursuant to the Courts' Orders, you still need to register or update your registration information, if there is a change in initial registration information, with the Registration Processor by the updated registration deadline of **July 15, 2016**, regardless of when your implant was removed.

R.8 I was not eligible for the Settlement Program. Do I have to register?

Yes. Pursuant to the Courts' Orders, all patients who have not resolved their claims, including patients who were not eligible for the prior Settlement Program, need to register or update their registration information, if there is a change in initial registration information with the Registration Processor by the updated registration deadline of **July 15, 2016**.

R.9 My implant has not been removed. Do I have to register?

Yes. Pursuant to the Courts' Orders, all patients who have not resolved their claims need to register or update their registration information, if there is a change in initial registration information, with the Registration Processor by the updated registration deadline of **July 15, 2016**, regardless of whether their implant was removed.

R.10 I enrolled in the Settlement Program and accepted my Settlement Program Award. Do I have to update my registration information?

No. Because you accepted your Settlement Program Award, your claim was resolved through the prior Settlement Program. Patients who resolved their claims do not need to update their registration information. If you have questions regarding the status of your claim, please check the status through the **Online Portal** or contact the Claims Processor at 1-855-382-6404 with questions or by emailing claimsprocessor@StrykerModularHipSettlement.com.

R.11 I enrolled in the Settlement Program, but my claim is still pending. Do I have to update my registration information?

Yes. Because your claim is still in process, you must update your registration information if you have new, or a change in, information. If you have questions regarding the status of your claim, please check the status through the **Online Portal** or contact the Claims Processor at 1-855-382-6404 with questions or by emailing claimsprocessor@StrykerModularHipSettlement.com.

R.12 I enrolled in the Settlement Program and accepted the base award but I have applied for Enhancements under the Enhancements Benefit Program. Do I have to update my registration information?

No. Because you already accepted your Settlement Program Award, your claim was resolved through the prior Settlement Program. Patients who resolved their claims do not need to update their registration information. If you have questions regarding the status of your claim, please check the status through the **Online Portal** or contact the Claims Processor at 1-855-382-6404 with questions or by emailing claimsprocessor@StrykerModularHipSettlement.com.

GENERAL FAQs

G.1 What is this Settlement about?

Stryker Orthopaedics initiated a voluntary recall of its ABG II Modular Hip System and Rejuvenate Modular Hip System in June 2012 due to potential risks associated with these products. Since the voluntary recall, patients who were implanted with one or more of these products have filed lawsuits throughout the country. Stryker's counsel and the attorneys representing these patients negotiated this Settlement in various coordinated proceedings. This Settlement is a means to resolve claims from eligible patients in a fair, timely, and efficient manner, regardless of whether they filed a lawsuit. Patients do not need to be represented by an attorney in order to participate in the Settlement Program.

G.2 Where can I get a copy of the Settlement Agreement?

The Settlement Agreement can be found on this website on the [Master Settlement Agreement](#) tab.

G.3 What if I like the terms of the Settlement Agreement and want to participate?

In order to participate in the Settlement Program, you must have enrolled **between January 16, 2015 and April 17, 2015**. Enrollment Claim Forms and a list of Required Submissions are now available on the Settlement Program's website. Please see the "Enrollment Claim Forms" and "Required Submissions" pages of this website to access this information. Enrollment Claim Forms could be uploaded to the Online Portal beginning **January 16, 2015**. All Required Submissions must have been received by **5:00 PM EST on the April 17, 2015 Extended Enrollment Deadline**.

G.4 Who is included in the Settlement Program?

- The Settlement Program is for patients who had an ABG II Modular or Rejuvenate Modular hip implanted in the United States (or at a United States military hospital), subsequently had a surgery to remove the modular hip stem, and who otherwise meet the eligibility requirements. (See FAQ E-1 below for more information regarding the Settlement Program's eligibility requirements.)
- The Settlement Program also includes those patients who had an ABG II Modular or Rejuvenate Modular hip stem implanted in the United States (or at a United States military hospital), but are unable to have a necessary surgery to remove the product prior to November 3, 2014, because they have been deemed to be physically unable to undergo the procedure as indicated by their surgeon.

G.5 How does the Settlement Program Work?

A patient who had an ABG II Modular or Rejuvenate Modular hip implanted, who underwent a subsequent surgery to have the hip implant removed, and who otherwise meets the Settlement Program's eligibility requirements, will receive a Base Award under the Qualified Revised Surgery Program,

potentially subject to certain reductions. A patient who qualifies for a Base Award may also be eligible to receive certain additional awards as part of the Enhancements Benefit Program for specific, covered events resulting from the surgery to remove the implant.

A patient unable to have a necessary revision surgery prior to November 3, 2014 because they have been deemed to be physically unable to undergo the procedure as indicated by their surgeon may be eligible to receive a one-time benefit under the Covered Unrevised, Infirm Patient Program.

G.6 Am I required to hire a lawyer to help me with my claim?

No. If you do not have an attorney, you are not required to hire one to participate in the Settlement Program. **You may seek additional information from the Claims Processor by calling 1-855-382-6404.** If you are already represented by an attorney, communication with the Claims Processor should be through your attorney.

G.7 How does the Settlement Program affect the claim I filed through the patient support program, Broadspire?

Any claim that you filed with Broadspire that was in process before November 3, 2014 is not affected by the Settlement Program.

If you filed a claim with Broadspire after November 3, 2014 but before enrolling in the Settlement Program, the claim will be reviewed and processed by Broadspire; however, any such reimbursement(s) you receive from Broadspire will be credited against any Base Award you receive under the Settlement Program. You will not be able to submit any claims to Broadspire after you enroll in the Settlement Program. The Broadspire Program will terminate if you are eligible for the Settlement Program but choose not to enroll by **5:00 PM EST on the April 17, 2015 Extended Enrollment Deadline** pursuant to Section 6.1.2.3 of the Master Settlement Agreement.

If you are not eligible for the Settlement Program, you may continue to file claims through Broadspire for recall-related care.

G.8 Where can I find out more information on the Settlement Program?

You may contact the claims processor, GCG, at 1-855-382-6404 or by emailing claimsprocessor@StrykerModularHipSettlement.com. Please continue to visit this website, www.StrykerModularHipSettlement.com from time to time for updated information.

G.9 I have a hip implant but I don't know which product was used, how can I find out if I qualify for the Settlement Program?

The only products that are included in this Settlement Program are the Rejuvenate Modular-Neck Hip Stem, which was introduced to the market in 2007, and the ABG II Modular-Neck Hip Stem, which was

introduced to the market in 2010. Both products were removed from the market in June 2012. If you had a hip implant prior to 2007 or after June 2012 the product used was not an ABG II or Rejuvenate Modular-Neck Hip Stem; therefore you do not qualify for the Settlement Program.

You can also confirm what product was used by contacting your surgeon or the hospital that performed the surgery to obtain the relevant medical records that would contain this information. Most hospitals maintain a sheet that details every device implanted during a surgery. These sheets usually contain stickers or typed entries reflecting each implanted product, including their names and product numbers.

G.10 (For attorneys) Do unserved preliminary disclosure forms or fact sheets need to be served in the New Jersey MCL or the Minnesota MDL?

Your inquiry should be directed to the appropriate Settlement Oversight Committee member identified in Article 21 of the Master Settlement Agreement:

Ellen Relkin Esq.
Weitz & Luxenberg
700 Broadway
New York, NY 10003
Phone: 212-558-5500
Facsimile: 212-344-5461
Email: erelkin@weitzlux.com

Peter J. Flowers, Esq.
Meyers & Flowers
225 W. Upper Wacker Dr. #1515
Chicago, IL 60606
Phone: 312-214-1017
Facsimile: 630-845-8982
Email: pjf@meyers-flowers.com

G.11 (For attorneys) Do I need to continue to comply with discovery requests and case management orders?

Your inquiry should be directed to the appropriate Settlement Oversight Committee member identified in Article 21 of the Master Settlement Agreement:

Ellen Relkin Esq.
Weitz & Luxenberg
700 Broadway
New York, NY 10003
Phone: 212-558-5500
Facsimile: 212-344-5461
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Facsimile: 630-845-8982
Email: pjf@meyers-flowers.com

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[ELIGIBILITY FAQs](#)

E.1 What are the eligibility requirements to participate in the Settlement Program?

To be eligible for the Qualified Revision Surgery Program under the Settlement Program, you must:

1. Be a U.S. citizen or legal resident of the United States;
2. Have had an ABG II Modular and/or Rejuvenate Modular-Neck Hip Stem implanted in the United States (or at any United States Military Hospital);
3. Have undergone a surgery to remove the implanted modular-neck hip stem for reasons related to the recall at least 181 days after implantation and prior to November 3, 2014, in the United States (or at any United States Military Hospital);
4. The surgery to remove the implanted modular-neck hip stem involved one or more of the following:
 1. An elevated cobalt level;
 2. An abnormal diagnostic scan related to the reasons underlying the voluntary recall; or
 3. Confirmation of ALTR, ALVAL or tissue damage related to the reasons underlying the voluntary recall.
5. Register your claim with the Claims Processor by December 19, 2014; and
6. Enroll in the Settlement Program by **5:00 PM EST on April 17, 2015.**

Through the Covered Unrevised, Infirm Patient Program, the Settlement Program is also available to eligible patients who are unable to undergo a necessary revision surgery as indicated by their surgeon prior to November 3, 2014, because they have been deemed physically unable to have the procedure.

E.2 I did not have surgery to remove the ABG II Modular or Rejuvenate Modular hip prior to November 3, 2014. Am I eligible to participate in the Settlement Program?

No. If you have not undergone a surgery to remove the implant prior to November 3, 2014, and were not deemed physically unable to have a necessary revision surgery by your surgeon, prior to November 3, 2014, you are not eligible to participate in the Settlement Program.

Your legal rights or claims, if any, are not affected by the Settlement Program and the Broadspire program remains available to offer support for recall related care. Patients are encouraged to visit aboutstryker.com/modularneckstems or call 1-888-317-0200 for more information about the Broadspire program.

E.3 Can I participate in the Settlement Program if I don't have a lawsuit filed in any court?

Yes. You may participate in the Settlement Program without filing a lawsuit as long as you meet the eligibility requirements. (See FAQ E-1 above.) **You may seek additional information from the Claims Processor by calling 1-855-382-6404 or emailing claimsprocessor@StrykerModularHipSettlement.com.**

E.4 Can I participate in the Settlement Program if my lawsuit is filed somewhere other than New Jersey or Minnesota?

Yes. The Settlement Program is open to all patients who meet the eligibility requirements (see FAQ E-1 above), regardless of where your lawsuit is filed.

E.5 I do not know if I am an eligible patient. What do I need to do?

If you are represented by an attorney, you should consult with them regarding your eligibility for the Settlement Program. If you do not have an attorney, **you may seek additional information from the Claims Processor by calling 1-855-382-6404 or emailing claimsprocessor@StrykerModularHipSettlement.com.**

ENROLLMENT FAQs

EN.1 When did enrollment in the Settlement Program occur?

The Stryker ABG II/Rejuvenate Modular Neck Hip Stem Enrollment Process commenced on January 16, 2015 and closed on April 17, 2015 at 5:00 PM, Eastern.

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EN.2 Where can I find out what I need to do to complete my Claim Package?

Comprehensive lists of required medical records and related forms for the Qualified Revision Surgery Program and the Covered Unrevised, Infirm Claimant Program are accessible on the "Required Submissions" page of the Settlement Program's website. Additional forms to be submitted as part of your Claim Package are also available for download. You may seek additional information from the Claims

Processor by calling 1-855-382-6404 or emailing claimsprocessor@StrykerModularHipSettlement.com.

EN.3 How do I log on to the online Enrollment Portal?

You can log on to the Online Portal using the Unique ID and password created at the time you registered for the Settlement Program. **The portal is available from the Online Portal page of this website which you can access by clicking this link.**

EN.4 I completed my Registration Form through the Claims Processor Contact Center and do not have a Registration ID Number. Am I able to use the online Enrollment Portal?

Yes. A Unique ID Number has been assigned to you. Contact the Claims Processor by calling 1-855-382-6404 or emailing claimsprocessor@StrykerModularHipSettlement.com and we will provide you with that information.

ENHANCEMENT FAQs

EH.1 What is an Enhancement?

A patient who qualifies for a Base Award may also be eligible to receive certain additional payments as part of the Enhancements Benefit Program if they have experienced specific, covered events resulting from the surgery to remove the ABG II or Rejuvenate Modular hip implant. **Additional information regarding the Enhancements Benefit Program and the materials that need to be submitted with your Enhancements Benefit Program Application is available on "Enhancements Benefit Program" tab on this website.**

EH.2 How can I qualify for an additional payment?

In order to qualify for any additional payments, you must first be an eligible patient who qualified for a Base Award. A separate Enhancements Benefit Program application and all required documentation must be submitted to the Claims Processor by the appropriate Enhancements deadlines (see FAQ EH.4 below) that demonstrate that you experienced any of the specific covered events entitling you to additional payment(s). Enrollment in the Enhancements Benefit Program began on July 15, 2015.

EH.3 If I receive a Base Award, will I automatically qualify for an Enhancement?

No. Qualifying for a Base Award does not automatically entitle you to receive additional payments under the Enhancements Benefit Program. You must submit: (1) a separate Enhancements Benefit Program Application, which is available under the "Enhancements Benefit Program" tab of this website and on the

Online Portal; and (2) all required documents supporting a potential claim for an Enhancement by the applicable Enhancements deadlines (see FAQ EH.4 below).

EH.4 What is the deadline to submit a claim for an Enhancement?

In order to be considered eligible to receive certain additional payments as part of the Enhancements Benefit Program, you must submit to the Claims Processor a separate Enhancements Benefit Program application along with all required documentation by the appropriate Enhancements deadlines.

For events giving rise to an Enhancement that occurred prior to your enrollment in the Settlement Program: you must have submitted your application by September 30, 2015.

For those events that occurred after you enrolled: you must have submitted your application by either September 30, 2015 or within 90 days of the event, whichever is later. You may submit supplemental applications for covered events that occur on or after September 30, 2015 but within two years of your Qualified Revision Surgery or your last pre-enrollment surgery as set forth in the **Master Settlement Agreement**.

PAYMENT FAQs

P.1 I have Registered and Enrolled. What happens next?

Once your claim is reviewed, you or your attorney will receive a notice from the Claims Processor informing you of whether you have been determined to be eligible for a Base Award and the amount of your award. The exact amount of compensation will depend on a number of factors and circumstances specific to each claim. Once you accept your award, your payment will be issued in a timely manner. Award payments began, and the majority of payments were made, in July 2015.

P.2 If I underwent a surgery to remove an ABG II Modular or Rejuvenate Modular hip, how much money may I receive if my claim is approved?

If you are an eligible patient who underwent a surgery to remove an ABG II Modular or Rejuvenate Modular hip, you may be entitled to receive a Base Award of up to \$300,000, subject to potential limited reductions.

In addition to the Base Award, you may also be eligible to receive additional payments under the Enhancements Benefit Program. These additional payments are available to eligible patients who: (1) experienced specific, covered events resulting from the surgery to remove the implant; and (2) submit to

the Claims Processor an Enhancements Benefit Program application and all required documentation by the appropriate Enhancements deadlines.

P.3 How can I qualify for an additional payment?

In order to qualify for any additional payments, you must first be an eligible enrolled patient who qualifies for a Base Award. You then must submit a separate Enhancements Benefit Program Application and all required medical records to the Claims Processor by the required Enhancements Deadlines (see FAQ EH.4 above) that demonstrate that you experienced any of the specific covered events set forth in the Settlement Agreement.

P.4 If I qualify as a patient deemed physically unable to undergo a revision surgery, how much money may I receive if my claim is approved?

If you are a qualified patient unable to undergo a necessary revision surgery because you have been deemed too infirm to undergo the procedure as indicated by your surgeon, you may be eligible to receive a fixed award not subject to any reductions or additional payments.

P.5 If I qualify as a patient deemed physically unable to have a revision surgery, can I also receive a Base Award or additional payments?

No. Qualified patients unable to undergo a necessary revision surgery because they are deemed too infirm to undergo the procedure as indicated by their surgeon may be eligible to receive a fixed award, not subject to any reductions or additional payments, even if the ABG II Modular or Rejuvenate Modular implant is later removed.

P.6 Who do I contact for more information about the money I may be awarded?

You can receive additional information by calling 1-855-382-6404.

P.7 What factors may contribute to the reduction of my Base Award?

Factors that may result in reductions to a Base Award include:

1. Whether you had a hip replacement surgery in the same hip before being implanted with an ABG II Modular or Rejuvenate hip stem;
2. Your age when the ABG II or Rejuvenate Modular hip stem was implanted;
3. For cases involving deceased patients, whether the patient passed away after the revision surgery for reasons unrelated to that surgery; and

4. If you are an unrepresented claimant under the Settlement Agreement, then a fixed percentage of the Award will be deducted as an acknowledgement of the amount that would otherwise be paid as attorneys' fees.

P.8 When will my payment be issued?

The exact timing and amount of compensation for Base Awards will depend on a number of factors and circumstances specific to each claim. Award payments began, and the majority of payments were made, in July 2015.