

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
HUGO L. BLACK UNITED STATES COURTHOUSE
BIRMINGHAM, ALABAMA 35203
(205) 278-1850



CHAMBERS OF
U. W. CLEMON
DISTRICT JUDGE

August 27, 2008

Dear Doctor:

This letter is to request your cooperation. In the next few months, you may be asked to examine women who are filing claims for benefits in MDL 926. MDL (or "multidistrict litigation") 926 arose out of federal lawsuits filed sixteen years ago over damages allegedly caused by silicone breast implants. In 1995 this Court approved a Revised Settlement Program ("RSP"), which is a settlement of all claims for damages allegedly caused by breast implants made by participating manufacturers. The deadline for claims to be filed in the RSP is December 15, 2010. I am writing to you as the United States District Judge currently overseeing the RSP and its Claims Administration Office, in order to request your cooperation.

Eligible claimants may file a claim for disease. These claims, in order to result in an award of benefits, must comply with the diagnostic requirements for qualifying diseases and symptoms as defined by the RSP processing rules. Some of these medical conditions are formally recognized diseases, such as Scleroderma or Systemic Lupus Erythematosus. Other conditions, such as General Connective Tissue Disease Syndrome (GCTS), have been defined solely for the purpose of the RSP.

A claimant does not need to prove that the implants caused the disease or symptoms in question. Therefore, in assisting a claimant, you are not being asked to take a position that silicone breast implants caused the diseases or symptoms covered by the RSP. The claimant needs assistance in documenting a diagnosis of the disease or symptoms. You will be asked to provide a signed statement confirming that the claimant's medical history confirms the disease or symptoms in question. This may include providing statements excluding other potential causes. You may also be asked to attest in writing to the severity of the claimant's condition as it affects her ability to work or care for herself. In so doing, you would provide copies of supporting diagnostic records, treatment reports, and test results. Of course, in all cases, you would be providing the statements only insofar as the claimant's medical history and your professional clinical findings warrant.

The Claims Administrator does not require that these records be notarized, or that you give statements or diagnoses under oath. As part of the claims process, you will not be asked to appear in any court or administrative proceeding to defend or explain your medical observations. All records, reports, and communications you provide will be confidential pursuant to court order.

I urge you to work with your patients to provide them and the Claims Administrator with the requested reports and records. Thank you for your cooperation, time, and patience. If you require further information, you may visit the websites www.oplc.org and/or www.claimsoffice-926.com or call the Claims Administration Office at 800-600-0311.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "U.W. Clemon".

U.W. Clemon
United States District Judge