

## **ASARCO Asbestos Personal Injury Settlement Trust**

**TRUSTEES:**

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### ASARCO ASBESTOS PERSONAL INJURY SETTLEMENT TRUST PRIVACY POLICY

The ASARCO Asbestos Personal Injury Settlement Trust (the “*Trust*”) was created in 2009 by the ASARCO Chapter 11 Joint Plan of Reorganization (the “*Plan*”). The ASARCO Trust was created to process, liquidate, and pay Asbestos Personal Injury Claims, which are asbestos-related personal injury and death claims caused by exposure to asbestos fibers or asbestos-containing products for which ASARCO LLC and its subsidiaries and affiliates had liability, in accordance with the Plan, the orders of the United States Bankruptcy and District Courts confirming the Plan, and the ASARCO LLC Asbestos Personal Injury Settlement Trust Distribution Procedures (as amended, the “*TDP*”).

This Privacy Policy explains how the Trust collects, uses, and discloses personal information about claimants and injured persons and how to contact the Trust regarding its privacy practices.

### **Section 1: Personal Information Collected**

To process, review, evaluate, and pay claims for asbestos personal injuries, the Trust collects personal information through a Claim Form completed by or on behalf of persons asserting claims against the Trust. The Claim Form and the instructions are published on the Trust’s website: [www.asarcotrust.com](http://www.asarcotrust.com) on the Resources page. Claimants or their agents (typically, counsel) wishing to submit a claim using the claims processor’s online service must execute a filing agreement with the claims processor.

The Trust receives personal information when it receives a claim, which may include, name, address, date of birth, date of death, gender, Social Security Number, financial

information, health information and medical records, work history, asbestos exposure history, and litigation history. The Trust may also receive information from visitors to the Trust's website, such as internet protocol address, e-mail address, and information about the devices using the website.

The Claim Form and instructions, together with the TDP, provide a more detailed list of the personal information collected and the purposes for which the personal information may be used.

**The submission of a claim to the Trust is voluntary. If a claimant or someone authorized by the claimant to act on behalf of a claimant chooses to submit a claim, the claimant or agent must submit the required information.**

The Trust may receive personal information from devices and computers of visitors to the Trust's website. A cookie is a small file that is placed on a system and sends back information each time that computer visits the website. Cookies help the Trust store preferences and information, saving a visitor or claimant time in using the website by eliminating the need to enter the same information multiple times. The Trust may use this information to customize and improve the content that persons see on the website, for security purposes, and to better serve a person's needs by creating a customized website that fits the person's needs. Visitors to the website may adjust their web browsers to accept or decline cookies. If a person's computer does not accept cookies, the person's experience with the website may be affected or the person may be unable to access some areas of the Trust's website. Certain web browsers may provide an option by which the person may have the browser inform websites or internet services visited that the person does not wish to have information about his or her activities tracked by cookies or other persistent identifiers. At this time, the Trust does not respond to these "Do Not Track" signals or other similar mechanisms.

## **Section 2: Sharing of Personal Information**

The Trust does not sell, rent, or lease the information that it collects to others. Section 6.5 of the TDP provides for the confidentiality of claimant submissions to the Trust. The claimant may review Section 6.5 at [www.asarcotrust.com](http://www.asarcotrust.com) on the Resources page. The Trust does not share or disclose claimant information with any third parties except as necessary to carry out the obligations and purposes of the Trust pursuant to the ASARCO Asbestos Trust Agreement, the TDP and applicable law (including a valid subpoena or court order). The Trust uses third-party service providers to provide services for claims evaluation, claims payment, legal advice, Medicare

reporting obligations, financial auditing, claims auditing, and consultation on administration of the Trust.

### **Section 3: Security and Disposal of Personal Information**

The Trust takes precautions — including administrative, technical, and physical measures — to safeguard personal information against loss, theft, and misuse, as well as unauthorized access, disclosure, alteration, and destruction.

Although the Trust undertakes reasonable efforts to safeguard personal information, it cannot guarantee the absolute security of personal information obtained or stored electronically.

Documents or other materials (both in electronic and in hard copy) that contain personal information shall be disposed of in a manner such that the personal information is erased or made unreadable at the time of disposal.

### **Section 4: Maintenance of Information**

The Trust retains all claimant information that it receives in the records of the Trust. The confidentiality of the information is protected as described above.

The Trust's website is not directed toward persons under 18 years of age or to persons who are in the European Economic Area (EEA). The Trust does not knowingly solicit or receive personal information from children and persons in the EEA, and requests that children and persons in the EEA not provide information through this website. Persons wishing to submit a Foreign Claim under the TDP are encouraged to consult with an attorney.

### **Section 5: Request for Access to Claimant Information**

If the claimant is represented by an attorney, the Trust and its claims administrator (now Verus) will communicate directly with the claimant's attorney regarding the claim. The Trust and Verus cannot communicate directly with the claimant about any claims for which the claimant is represented by an attorney without the express, written consent by the attorney and the claimant. If the claimant's attorney has registered with the Trust for electronic submission of claims, the attorney may electronically access the claimant's information at any time. If the claimant is not represented by an attorney, the claimant may contact the Trust and Verus at [support@verusllc.com](mailto:support@verusllc.com) or by calling 1-800-681-1129 to request a copy of the claimant's personal information. The Trust may request specific information to

confirm the claimant's identity and ensure the claimant's right to access the claimant's personal information.

## **Section 6: Changes to the Privacy Policy**

The Trust may make changes to this Privacy Policy at any time. When the Trust makes changes to this Privacy Policy, it will revise the "Effective Date" at the top of this Privacy Policy. If the changes are material, the Trust will notify claimants and those acting on their behalf in advance of such changes taking place. The Trust and this Privacy Policy are subject to the Plan, TDP, related documents and court orders noted above; nothing in this Privacy Policy is intended to contravene these documents, or expand or modify the rights of any person or entity to differ from what they have under the Plan, TDP, related documents and court orders.

## **Section 7: Questions**

Questions about this Privacy Policy may be directed to the Trust at [support@verusllc.com](mailto:support@verusllc.com) or by calling 1-800-681-1129.