

## Summary of medical documents to provide with your claim

*TJL has prepared this summary in order to facilitate the claims process. For more information on this topic, please refer to the Settlement Agreement, which is available on TJL's website.*

To be admissible to claim under the Settlement Agreement, you must fall under one of the 5 following categories:

- A. Persons who were implanted with a Durom Cup, but who were not diagnosed as requiring revision surgery to replace their Durom Cup.
- B. Persons who underwent revision surgery in order to replace their Durom Cup before September 1<sup>st</sup>, 2015.
- C. Persons who did not undergo revision surgery in order to replace their Durom Cup before September 1<sup>st</sup>, 2015, but whose revision surgery was scheduled before September 1<sup>st</sup>, 2015.
- D. Persons who did not undergo revision surgery to replace their Durom Cup by reason of a medical preclusion that was diagnosed before September 1<sup>st</sup>, 2015.
- E. Persons who underwent revision surgery in order to replace their Durom Cup AND who suffered one of the following complications before September 1<sup>st</sup>, 2015: an infection, a blood clot, permanent nerve damage, a second revision surgery, a third revision surgery, a stroke, or death.

The following boxes indicate the documents you will need to provide along with your claim depending upon which of these 5 categories you fall under.

**A. Persons who were implanted with a Durom Cup, but who were not diagnosed as requiring revision surgery to replace their Durom Cup :**

*The medical documents required in order to prove that a person received a Durom Cup are listed at Schedule N of the Settlement Agreement. Please read this document carefully.*

ALL claimants must prove that they were implanted with a Durom Cup in the following manner. If you fall under category “A” (no diagnosis recommending revision surgery), these are the only medical documents you will need to provide.

1) You must provide the peel-and-stick label from the Durom Cup that should be affixed to the medical record from your implant surgery (sometimes called the implant operative report). You can obtain your implant surgery medical record from the hospital where your implant surgery occurred or from your physician.

2) IF, and only if, you are unable to obtain the Label because the implant surgery hospital could not locate it in your hospital medical records, then you may provide the following to prove that you received a Durom Cup:

a) If the Durom Cup has been explanted from your body and it still exists, you must provide (1) a color photograph of the Durom Cup that shows the identification numbers on the edge of the Durom Cup, and (2) a Physician Declaration (Schedule F to the Settlement Agreement) confirming that you were implanted with a Durom Cup and the date of the implantation;

OR

b) If you cannot obtain a photograph because your Durom Cup is not within your possession, custody, or control, you must provide (1) a copy of your implant surgery operative report from the hospital where you were implanted, in which your surgeon confirms that you were implanted with a Durom Cup, and (2) a Physician Declaration (Schedule F to the Settlement Agreement) confirming that you were implanted with a Durom Cup and the date of implantation.

**B. Persons who underwent revision surgery in order to replace their Durom Cup before September 1st, 2015 :**

- 1) You must provide the information listed in Box "A".
- 2) You must provide the operative reports written by your physician after your revision surgery. You can obtain these by contacting the hospital where you underwent revision surgery.

**C. Persons who did not undergo revision surgery in order to replace their Durom Cup before September 1st, 2015, but whose revision surgery was scheduled before September 1st, 2015 :**

- 1) You must provide the information listed in Boxes "A" and "B". (You must only submit your claim after your revision surgery has taken place; this surgery must occur before the claims deadline in order for you to be eligible for the compensation provided for class members who underwent revision surgery).
- 2) Your physician must complete the "Physician's Declaration" found at Schedule F to the Settlement Agreement. (If necessary, this does not need to be done by the physician who performed the revision surgery).

**D. Persons who did not undergo revision surgery to replace their Durom Cup by reason of a medical preclusion that was diagnosed before September 1st, 2015 :**

- 1) You must provide the information listed in Boxes "A" and "B".
- 2) Your physician must complete the "Physician's Declaration" found at Schedule F to the Settlement Agreement. (If necessary, this does not need to be done by the physician who performed the revision surgery).

E. Persons who underwent revision surgery in order to replace their Durom Cup AND who suffered one of the following complications before September 1st, 2015: an infection, a blood clot, permanent nerve damage, a second revision surgery, a third revision surgery, a stroke, or death :

- 1) You must provide the information listed in Boxes "A" and "B".
- 2) Your physician must complete the "Physician's Declaration" found at Schedule F to the Settlement Agreement. (If necessary, this does not need to be done by the physician who performed the revision surgery).
- 3) Your physician must attach medical records to the "Physician's Declaration" that confirm that the complication(s) noted above occurred. Such medical records may include, but are not limited to, operative reports, pathology reports, office records, and/or discharge summaries.

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