

# epiq outcomes

Administering restructurings related to mass tort litigation is complex and requires expert knowledge in claim design, data transfer protocols, volume data capture capabilities, flexible claims processing, and specialized balloting procedures. We provide an unmatched combination of expertise backed by superior performance, support, and transparency. Our experienced staff and sophisticated infrastructure meet any need regardless of scope, size, or industry. Epiq has substantive experience administering bankruptcies focused on the establishment of settlement trusts.

## How Epiq can assist:

- ❖ Bankruptcy preparation and contingency planning
- ❖ Restructuring websites
- ❖ Strategic communications, FAQs
- ❖ Call center
- ❖ Noticing and printing
- ❖ Mass media notification campaigns
- ❖ SOFA and schedule preparation
- ❖ Claims administration: database management, review, redaction, reconciliation
- ❖ Solicitation, balloting, and tabulation
- ❖ Public securities expertise
- ❖ Expert witness testimony
- ❖ Disbursement and remediation
- ❖ Settlement trust and receivership services

## Notable matters include:



Energy Future Holdings



## Data security and privacy

Mass tort bankruptcies involve the handling of sensitive client data. Epiq is qualified to administer these matters because of our unique HIPAA compliance framework, which creates an extra layer of privacy and security. From pre-filing to post-confirmation, we comply with all applicable federal statutory and regulatory requirements surrounding personally identifiable information (PII) and protected health information (PHI).

To efficiently administer mass tort matters, we have built a claim process which incorporates the suppression of private data in publicly filed claims to ensure PII does not reach the public domain. In many of our matters, we also utilized our flexible infrastructure to implement online claims intake portals and questionnaires.

Epiq employs a full-time, dedicated security team and our data is housed in a Tier IV data center. We ensure that the highest industry standards of physical and network security measures are in place and followed throughout the entire restructuring process.

Understanding HIPAA and the ability to protect PII from getting into the public domain is vital to a successful reorganization. Our subject matter expertise in mass tort restructuring help you avoid potential pitfalls related to data security and privacy, as well as assists you in navigating the complexities of a corporate restructuring.

## Legal notification expertise

The noticing requirements for mass tort-related restructurings are extensive and require an expansive legal notification program. Our in-house legal noticing team are experts at designing constructive programs that withstand judicial scrutiny and blend traditional media notice and innovative digital campaigns. We create programs that reach a maximum audience at an economical cost that will withstand under scrutiny. Cam Azari, our nationally recognized expert, is regularly called on to provide expert testimony and defend the effectiveness of legal noticing campaigns.

In one case example, Epiq designed and implemented an intricate asbestos notification program for Energy Future Holding ("EFH") which included hundreds of national, local, trade, and Spanish language publications as well as over 500 million banner impressions nationwide to notify former employees of potential asbestos exposure at more than 100 worksites nationwide. The media plan was challenged but Azari's expert testimony prevailed and proved that the method was judicially compliant.

## Class action & mass tort expertise

**Interchange Fee and Merchant Discount Antitrust Litigation** – Landmark \$6B settlement reached by Visa and MasterCard. Epiq designed and executed an intensive notice program involving 21 million direct mail notices to class members, together with insertions in over 1,500 newspapers, consumer magazines, business, trade, specialty, and foreign language publications. Epiq also implemented an extensive online noticing campaign with banner notices which generated more than 770 million adult impressions. A case website was created which featured eight languages and we deployed sponsored search listings so the website could easily be found by class members.

**Takata Airbag Individual Restitution Fund** – Epiq is providing all claims administration support to the Court-appointed Trustee of the Takata Airbag Tort Compensation Trust Fund ("TATCTF") and Special Master of the Individual Restitution Fund ("IRF"). The restitution funds total \$1B and were established to compensate individuals who were injured or suffered wrongful death as a result of a malfunctioning Takata Airbag Inflator. Epiq embarked on a massive individual notice mailing to over 40 million class members in two phases of settlements. A comprehensive nationwide media campaign accompanied each phase that included, radio and consumer magazine advertisements as well as extensive online noticing. Epiq is also providing an online claims portal, database management, personal injury claim evaluation, a public website, call center services, and general administrative support.