

timely submitted claims (which were approved) claiming reimbursement of amounts they paid which were the responsibility of the Benefit Fund; and Type 3 claimants being the Medical Providers which timely submitted claims (which were approved) claiming amounts owed for services provided to Plan Members. See Plan of Distribution (D.E. # 687 at p. 5).

Type 1 claims totaled \$377,443.85 and the Independent Fiduciary paid that amount, 100 cents on the dollar, through issuing and sending 190 checks to the enumerated Type 1 claimants. One hundred and eighty one (181) checks were deposited within the 120 days allowed, for a total of \$368,059.90 being deposited. Nine (9) Type 1 claim checks were not cashed in the 120 days period allowed, those nine (9) checks totaling \$9,383.95. Efforts to locate those nine (9) Type 1 claimants have been unsuccessful. As per the Plan of Distribution, the Independent Fiduciary will forward the amounts of each of the nine (9) uncashed Type 1 claimant checks to the unclaimed property office/department of the state indicated in the last known address information of the Type 1 claimant. Plan of Distribution (D.E. #687) at ¶ 26 (p.9). With that act, the process of addressing the Type 1 claimants provided for in the Plan of Distribution will be complete.¹

Type 2 claims totaled \$8,970.99 and the Independent Fiduciary paid that amount, 100 cents on the dollar, though issuing and sending eight (8) checks to the enumerated Type 2 claimants. Seven (7) of those checks were deposited within the 120 days allowed, for a total of \$8,424.74. One (1) Type 2 check – totaling \$546.26 -- was not deposited within the 120 days allowed. Efforts to locate that one (1) Type 2 claimant have been unsuccessful. As per the Plan of Distribution, the Independent Fiduciary will forward the amount of that one check to the

¹ States have differing rules on the acceptance of payment to their Unclaimed Property Funds. States require the payor to retain payments for differing periods of time. Some States require several months. Other States require 1 to 5 years prior to acceptance of funds from the payor. Regardless of the standards, the Independent Fiduciary will hold the \$9,383.95 in its account and will make the transfers, when allowed, to the appropriate State Unclaimed Property Funds in compliance with that State's regulations.

unclaimed property office/department of the state indicated in the last known address information of that Type 2 claimant. Plan of Distribution (D.E. #687) at ¶ 30 (p.10). With that act, the process of addressing the Type 2 claimants provided for in the Plan of Distribution will be complete.²

As to Type 3 claimants (which solely consists of medical providers), under the Court-approved interim distribution, the Independent Fiduciary issued 7,192 checks, totaling \$6,349,047.62 and sent those checks to the enumerated Type 3 claimants. That interim distribution to Type 3 Medical Provider claimants amounted to approximately 11 cents on the dollar regarding the eligible and approved Type 3 Medical Provider claims. Of those 7,192 Type 3 checks, 4,950 were deposited for a total amount of \$5,369,935.21. Those 4,950 checks included checks that were resent when the Independent Fiduciary received back the original mailing that had noted a forwarding address. The remaining 2,242 Type 3 Medical Provider checks – totaling an amount of \$979,112.41 -- were returned without a forwarding address, were not deposited within the 120 day period allowed and have been voided, were resent to forwarding address but not timely deposited and have been voided or were deposited and subsequently “refunded” back to the Independent Fiduciary. There is the potential of further “refunds” being sent to the Independent Fiduciary from Type 3 Medical Provider claimants who have deposited the interim distribution check but decide to send a check back to the Independent Fiduciary representing the interim distribution they had received.

Pursuant to the Plan of Distribution, the above-referenced \$979,112.41 amount, and any further funds received as “refunds” from Type 3 Medical Provider claimants remains under the control of the Independent Fiduciary. D. E. #687 at ¶ 33 (p. 11). Under the Plan of Distribution, the Independent Fiduciary is to present a recommendation as to the disposition and treatment of

² See footnote 1 above. The Independent Fiduciary will hold the \$546.26 in its account and will make the transfer, when allowed, to the appropriate State Unclaimed Property Fund in compliance with that State’s regulations.

those amounts in conjunction with filings to the Court regarding further/final distributions from the AEU Benefit Fund Liquidation Estate. See Id.

The Independent Fiduciary will file separately its motion to accept recommendations as to a plan of final distribution, which will address its recommendations as to the disposition of the funds not deposited by, or refunded by, the Type 3 Medical Providers regarding the interim distribution.

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Respectfully submitted,

/s/ C. Philip Curley

C. Philip Curley
Robinson Curley P.C.
600 W. Van Buren Street, Suite 700
Chicago, Illinois 60607
(312) 663-3100
pcurley@robinsoncurley.com

/s/ J. Graham Matherne

J. Graham Matherne
Andrew J. Pulliam
Wyatt, Tarrant & Combs, LLP
333 Commerce Street, Suite 1050
Nashville, Tennessee 37201
(615) 244-0020
gmatherne@wyattfirm.com
apulliam@wyattfirm.com

Counsel to the Independent Fiduciary

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been served upon all counsel noted on the Court's Electronic Case Filing System and that an exact copy of the foregoing will be posted on the following website www.receivermgmt.com/aeubenefitplan.htm.

This the 25th day of September, 2024.

/s/ C. Philip Curley