

Examples of Claim Valuation Calculations

Example 1 – Qualifying Heart Attack (MI/SCD) Claimant

A 50-year-old heart attack (MI/SCD) Qualifying Program Claimant who sustained a Level 2 Injury (e.g., coronary artery bypass surgery plus resulting complications within 6 months of the heart attack) and used Vioxx for an Overall Duration of 18-30 months. The Claimant's heart attack occurred on April 4, 2001. In the 12 months prior to the heart attack, the Claimant was dispensed 214 pills. The Claimant suffered from the following risk factors: (1) Obesity (BMI of 33.4 at Eligible Event); (2) Controlled Cholesterol; (3) Controlled Hypertension; and (4) Ambiguous Family History of heart disease.

| | | |
|---|-----------------------------|----------------------|
| • | Basis Points | 572.92 |
| | -- Label Adjustment | +15% |
| | -- Consistency Adjustment | <u>-10%</u> |
| • | Sub-Total Points | 601.57 |
| | -- Obesity | <u>-17.5%</u> |
| | | 496.30 |
| | -- Controlled Cholesterol | <u>-20%</u> |
| | | 397.04 |
| | -- Controlled HTN | <u>-20%</u> |
| | | 317.63 |
| | -- Ambiguous Family History | <u>-15%</u> |
| | | |
| | TOTAL POINTS: | <u>269.98</u> |

If each MI Point is ultimately valued at \$2,000, the Example 1 claim will have a gross value (before attorneys' fees and costs are deducted) of approximately \$539,960; if each MI Point is ultimately valued at \$1,500, the claim will have a gross value of approximately \$404,970; if each MI Point is ultimately valued at \$1,200, the claim will have a gross value of approximately \$323,976.

Example 2 – Qualifying Heart Attack (MI/SCD) Claimant

A 50-year-old heart attack (MI/SCD) Qualifying Program Claimant who sustained a Level 5 Injury (e.g., stent placement) and used Vioxx for an Overall Duration of 2-6 months. The Claimant’s heart attack occurred on March 1, 2000. In the 3 months prior to the heart attack, the Claimant was dispensed 90 pills. The Claimant suffered from the following risk factors: (1) Obesity (BMI of 33.4 at Eligible Event); (2) Controlled Cholesterol; (3) Controlled Hypertension; (4) Ambiguous Family History of heart disease; and (5) History of heart attack prior to starting Vioxx.

| | | |
|---|-----------------------------|---------------------|
| • | Basis Points | 183.75 |
| | -- Label Adjustment | -20% |
| | -- Consistency Adjustment | <u>+20%</u> |
| • | Sub-Total Points | <u>183.75</u> |
| | -- Obesity | <u>-17.5%</u> |
| | -- Controlled Cholesterol | 151.59 |
| | | <u>-20%</u> |
| | -- Controlled HTN | 121.28 |
| | | <u>-20%</u> |
| | -- Ambiguous Family History | 97.02 |
| | | <u>-15%</u> |
| | -- Prior heart attack | 82.47 |
| | | <u>-55%</u> |
| | TOTAL POINTS: | <u>37.11</u> |

If each MI Point is ultimately valued at \$2,000, the Example 1 claim will have a gross value (before attorneys’ fees and costs are deducted) of approximately \$74,220; if each MI Point is ultimately valued at \$1,500, the claim will have a gross value of approximately \$55,665.00; if each MI Point is ultimately valued at \$1,200, the claim will have a gross value of approximately \$44,532.

Example 3 – Qualifying Stroke (IS) Claimant

A 50-year-old IS Qualifying Program Claimant who sustained a Level 2 Injury (e.g., disability requiring full-time care in a nursing care facility, and such full-time care was not needed prior to the stroke) and used Vioxx for an Overall Duration of 18-30 months. The Claimant's stroke occurred on April 4, 2001. In the 12 months prior to the stroke, the Claimant was dispensed 214 pills. The Claimant suffered from the following risk factors: (1) Obesity (BMI of 33.4 at Eligible Event); (2) Controlled Cholesterol; (3) Controlled Hypertension; and (4) Ambiguous Family History of stroke.

| | | |
|---|-----------------------------|----------------------|
| • | Basis Points | 269.61 |
| | -- Label Adjustment | +15% |
| | -- Consistency Adjustment | <u>-10%</u> |
| • | Sub-Total Points | 283.09 |
| | -- Obesity | <u>-17.5%</u> |
| | | 233.55 |
| | -- Controlled Cholesterol | <u>-10%</u> |
| | | 210.20 |
| | -- Controlled HTN | <u>-30%</u> |
| | | 147.14 |
| | -- Ambiguous Family History | <u>-15%</u> |
| | | |
| | TOTAL POINTS: | <u>125.06</u> |

If each IS Point is ultimately valued at \$2,000, the Example 3 claim will have a gross value (before attorneys' fees and costs are deducted) of approximately \$250,132.05; if each IS Point is ultimately valued at \$187,590, the claim will have a gross value of approximately \$190,575; if each IS Point is ultimately valued at \$1,200, the claim will have a gross value of approximately \$150,072.