UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

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IN RE
ASBESTOS CLAIMS MANAGEMENT CORPORATION,
DEBTOR.

CHAPTER 11

CASE NO. 02-37124-SAF-11

NOTICE OF AVAILABILITY OF CLAIM FILING MATERIALS, OCCURRENCE OF <u>CLAIM</u> <u>MATERIALS DISTRIBUTION DATE AND DEADLINE FOR FILING CLAIMS</u>

TO: ALL HOLDERS OF ASBESTOS CLAIMS AGAINST ASBESTOS CLAIMS MANAGEMENT CORPORATION (F/K/A NATIONAL GYPSUM COMPANY)

PLEASE TAKE NOTICE that, pursuant to the Third Amended Plan of Reorganization Under Chapter 11 of the Bankruptcy Code For Asbestos Claims Management Corporation, dated December 12, 2002 (With Technical Modifications) (the "Plan"), and the Claims Resolution Procedures approved in connection with Plan confirmation (the "CRP"), claim forms and instructions ("Claim Forms") for filing Asbestos Claims (as defined in the Plan) with the NGC Bodily Injury Trust will be available on February 27, 2004.

PLEASE TAKE FURTHER NOTICE that Asbestos Claimants, or their authorized representatives, may request that paper copies of <u>sample</u> Claim Forms be mailed to them by sending a request for "sample Claim Forms" (i) by electronic mail to <u>request@ngcbitrust.org</u>; or (ii) by regular mail to the NGC Bodily Injury Trust, P.O. Box 1299, Greenville, Texas 75403-1299. Beginning February 27, 2004, copies of sample Claim Forms may also be accessed from the NGC Bodily Injury Trust's website at <u>www.ngcbitrust.org</u> under the "Claim Filing" or "Document" link. Such sample Claim Forms are for illustrative purposes only; they will be marked "SAMPLE" and may not be used to actually file Asbestos Claims.

PLEASE TAKE FURTHER NOTICE that licensed attorneys who complete the Law Firm Registration process will have the ability to obtain <u>official</u> paper Claim Forms or file Asbestos Claims electronically through the NGC Bodily Injury Trust's internet website at <u>www.ngcbitrust.org</u>. Instructions for completing the Law Firm Registration process are located at <u>www.ngcbitrust.org</u> under the "Claim Filing" or "Document" link or may be requested in paper form by contacting NGC Bodily Injury Trust at the addresses cited in the preceding paragraph. Only after a licensed attorney has completed the Law Firm Registration process will official Claim Forms with embedded law firm and attorney coding be available for actual filing electronically or by paper form.

PLEASE TAKE FURTHER NOTICE that *pro se* Asbestos Claimants (claimants who are not represented by an attorney that has completed the Law Firm Registration process), may request that a packet of <u>official</u> Claim Forms be mailed to them by sending a request for "official Claim Forms" (i) by electronic mail to <u>request@ngcbitrust.org</u>; or (ii) by regular mail to the NGC Bodily Injury Trust, P.O. Box 1299, Greenville, Texas 75403-1299. *Pro Se* claimants may file Asbestos Claims with the NGC Bodily Trust only by using an official paper Claim Form.

PLEASE TAKE FURTHER NOTICE that the "Claim Materials Distribution Date," as defined in the Plan and used in the CRP, occurred on February 2, 2004; accordingly, the "BI Settlement Claim Bar Date" by which BI Settlement Claims (as defined in the Plan) must be filed with the NGC Bodily Injury Trust is February 2, 2006.

PLEASE TAKE FURTHER NOTICE that the deadline for the filing of Asbestos Claims (other than BI Settlement Claims) is the otherwise applicable federal, state and foreign statutes of limitations and repose for the Applicable Jurisdiction (as defined in the next sentence). The Applicable Jurisdiction shall be either (1) the law of the state where the claimant has filed a lawsuit against Asbestos Claims Management Corporation (f/k/a National Gypsum Company) ("NGC") or a co-defendant seeking recovery for an Asbestos Claim; or (2) in the event no such lawsuit has been filed, the law of the state in which the claimant was exposed to NGC products or the state where the claimant resides.

PLEASE TAKE FURTHER NOTICE that, pursuant to section 2.1.c. of the CRP, the statute of limitations of the Applicable Jurisdiction is tolled for the following periods: (1) from June 16, 2000 through November 2, 2004, (2) for claims filed against a co-defendant in the tort system prior to June 16, 2000, from the date such claim was filed against such co-defendant in the tort system through the date such tort system claim is resolved, either through litigation or settlement, and (3) from the date a claim is filed with the NGC Bodily Injury Trust until (x) 180 days after an offer is made to the Claimant by the NGC Bodily Injury Trust until (x) 180 days after an offer of an Asbestos Claim which is first diagnosed after June 16, 2000, may file his or her claim the with NGC Bodily Injury Trust, regardless of whether the claim would otherwise be barred by applicable statutes of limitations or repose, provided the Asbestos Claim is filed no later than three (3) years after the later of the expiration of the tolling period set forth in (1) above or the date of the diagnosis of the asbestos-related disease.

PLEASE TAKE FURTHER NOTICE that properly filed Asbestos Claims will be reviewed for allowance or disallowance in accordance with the CRP.

DATED: February 5, 2004.

Respectfully submitted,

GIBSON, DUNN & CRUTCHER LLP

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