

OWENS-ILLINOIS ASBESTOS PERSONAL INJURY TRUST RESOLUTION

During the Full Session quarterly meeting of the Trust Advisory Counsel (the “TAC”) and Post-Effective Date Future Claimants Representative (the “FCR”), held on November 13, 2023, the Trustees unanimously adopted the following resolution:

WHEREAS, Section 8.1 of the Owens-Illinois Asbestos Personal Injury Trust Distribution Procedures (the “TDP”) and Section 2.2(f)(xi) of the Owens-Illinois Asbestos Personal Injury Trust Agreement (the “Trust Agreement”) permits amendment to the TDP with the consent of the TAC and the FCR.

WHEREAS, Sections 3.1 and 3.2 of the TDP establish a procedure for consulting with the TAC and FCR and procedures for obtaining consent of the TAC and FCR by the Trust regarding any action amending the TDP prior to the implementation of any such amendment.

WHEREAS, Section 5.1(a)(2) of the TDP governs the Effect of Statutes of Limitations and Repose for all unliquidated Asbestos Claims.¹

WHEREAS, the Trust has complied with the requirements of the above Sections of the TDP and the Trust Agreement and has obtained the consent of the TAC and FCR for the following changes to the TDP.

WHEREAS, Section 5.1(a)(2) of the TDP will be changed to read as follows:


5.1(a)(2) Effect of Statutes of Limitations and Repose. All unliquidated Asbestos Claims must meet either (i) for claims first filed in the tort system against Old O-I or the Debtor prior to the Petition Date, the applicable federal, state, or foreign statute of limitations and repose that was in effect at the time of the filing of the claim in the tort system, or (ii) for claims not filed against Old O-I or the Debtor in the tort system prior to the Petition Date, the applicable federal, state, or foreign statute of limitations and repose that was in effect at the time of the filing with the Asbestos Trust. However, the running of the relevant statute of limitations and repose shall be tolled as of the earliest of (A) the actual filing of the claim against Old O-I or the Debtor prior to the Petition Date, whether in the tort system or by submission of the claim to Old O-I or the Debtor pursuant to an administrative claims processing agreement; (B) the tolling of the claim against Old O-I or the Debtor prior to the Petition Date by an agreement or otherwise, provided such tolling is still in effect on the Petition Date; or (C) the Petition Date.

If an Asbestos Claim meets any of the tolling provisions described in the preceding sentence and the claim was not barred by the applicable federal, state, or foreign statute of limitations and repose at the time of the tolling event, it shall be treated as timely filed if it is actually filed with the Asbestos Trust ~~within three (3) years after the Initial Claims Filing Date~~ on or before November 30, 2024. In addition, any Asbestos Claims that were first diagnosed after the Petition Date, irrespective of the application of any relevant federal, state or foreign statute of limitations and repose, may be filed with the Asbestos Trust within three (3) years after the date of diagnosis or within three (3) years after the Initial Claims Filing Date, whichever occurs later. However, the processing of any Asbestos Claim by the Asbestos Trust may be deferred at the election of the claimant pursuant to Section 6.3 below. Notwithstanding any other provision hereof, if the holder of an Asbestos Claim cannot meet the presumptive medical criteria set forth in Section 5.3(a)(3) below for any Disease Level, the applicable statute of limitations shall not begin running until the holder receives the evidence necessary to establish such medical criteria.

¹ “Asbestos Claims” is defined in the Third Amended Plan of Reorganization For Paddock Enterprises, LLC Under Chapter 11 of the Bankruptcy Code dated May 24, 2022.

THEREFORE, BE IT RESOLVED that, after consultation with, and the consent of the TAC and FCR, the above stated changes to the TDP are agreed to and approved.

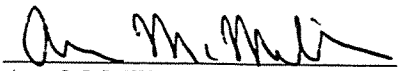
COUNSEL TO THE O-I TRUST:



Philip E. Milch, Esq.

Date: 2/1/23

COUNSEL TO THE TAC:



Ann McMillan, Esq.

Date: 11/29/23

COUNSEL TO THE FCR:

Edwin Harron, Esq.

Date: _____

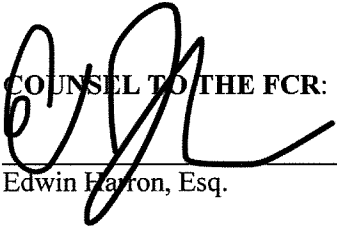
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COUNSEL TO THE O-I TRUST:

_____ Date: _____
Philip E. Milch, Esq.

COUNSEL TO THE TAC:

_____ Date: _____
Ann McMillan, Esq.

COUNSEL TO THE FCR:

_____ Date:  _____
Edwin Harron, Esq.