

## Mass Tort Settlement Trusts

### PRACTICE CONTACTS

Kevin E. Irwin  
TEL: (513) 579-6426

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Keating Muething & Klekamp PLL is among the few law firms in the nation with significant experience in representing mass tort settlement trusts and mass tort claims processing facilities.

Our lawyers have unique experience with the tax laws governing qualified settlement funds, the bankruptcy statutes and plans of reorganization that give rise to mass tort settlement trusts, the insurance assets and insurance coverage disputes common to such trusts. In addition, our experience extends to the supervisory proceedings in bankruptcy courts retaining jurisdiction over such trusts after the conclusion of the bankruptcy cases.

Some of our significant engagements in the field of mass tort settlement trusts include:

#### *Celotex Asbestos Settlement Trust*

We have been general counsel of the Celotex Asbestos Settlement Trust since it was established in 1997. The Celotex Trust was funded with more than \$1.5 billion in assets, including all the stock in the reorganized Celotex Corporation and Carey Canada Corporation. Our lawyers assisted in all aspects of the start-up of the Celotex Trust, and represented the Celotex Trust in its sale of the businesses of Celotex Corporation and Carey Canada in several transactions valued at more than \$500 million.

The Celotex Trust had more than 300,000 asbestos claims to process at the time of its start-up, and an equally large number of future claims are anticipated. Our lawyers assisted in the creation of the claims processing facility operated by the Celotex Trust and the implementation of complex claims procedures approved by the bankruptcy court. The firm continues to advise the Celotex Trust on all claims processing matters, and our lawyers regularly appear in United States Bankruptcy Court for the Middle District of Florida to represent the Celotex Trust in supervisory proceedings.

#### *UNR Asbestos-Disease Claims Trust*

Keating Muething & Klekamp PLL has been general counsel to the UNR Asbestos-Disease Claims Trust since 2001. The firm was retained to defend the trustees against litigation brought in the U.S. Bankruptcy Court for Northern District of Illinois by trust beneficiaries about certain changes to the Trust's methods of processing asbestos claims. The firm successfully defended the trustees in that litigation, and the firm now acts as general counsel to the UNR Trust. Our lawyers represent the UNR Trust in connection with its 50 percent ownership interests in ROHN Industries, a publicly traded company, and the firm advises the UNR Trust on its participation in a joint claims processing facility. Our lawyers regularly appear in the United States Bankruptcy Court for the Northern District of Illinois to

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represent the UNR Trust in supervisory proceedings.

*Eagle-Picher Industries Personal Injury Trust*

Keating Muething & Klekamp PLL has been local Ohio counsel for the EPI Personal Injury Trust since its inception in 1997. Our lawyers handle Ohio law matters and assist the EPI Trust's general counsel in all supervisory proceedings in the United States Bankruptcy Court for the Southern District of Ohio.

In the firm's representation of mass tort settlement trusts, its attorneys draw upon more than a decade's experience in mass tort bankruptcy proceedings.