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**BATES WHITE RELEASES REPORT ON ASBESTOS LITIGATION REFORM
LEGISLATION**

Study finds FAIR Act not financially viable

WASHINGTON, D.C., September 12, 2005—Today, Bates White announced that it has completed a study of The Fairness in Asbestos Injury Resolution (FAIR) Act of 2005, and found that there is a substantial financial shortfall with the proposed legislation. Dr. Charles E. Bates, president and senior partner, will release this report on Monday, September 19, 2005 at Mealey’s National Asbestos Litigation Conference to be held in Philadelphia September 19-20, 2005.

Bates White’s study found that the FAIR Act, which will remove claims from the court system and establish a \$140 billion asbestos trust fund, financed by defendants and insurers, creates entitlements to pending and future claimants that substantially exceed the \$140 billion in receipts specified in the FAIR Act. This means the fund would be bankrupt and forced to sunset a few years after its enactment. Dr. Bates will explain the financial shortfall—resulting primarily from entitlements created for many individuals with lung and other cancers who were not compensated in the historical tort environment. He will also speak about the other major contributing factor to the fund’s financial shortfall involving dormant claimants who have settled with most, but not all defendants, and would be able to recoup additional recoveries.

At the conference, Dr. Bates will participate in a panel session on the “Legal & Financial Aspects of Proposed Federal Asbestos Legislation” and will serve as the panel’s economic expert. He will be joined by three other individuals with expertise in asbestos-related matters: Patrick Hanlon, partner with the law firm Goodwin Proctor, David Austern, president of the Claims Resolution Management Center, and Sarah Fox, of counsel for Bredhoff & Kaiser and

a representative with the AFL-CIO. The moderators will be the two conference chairs who both have substantial trial experience with asbestos product liability: Edward McCambridge, a partner with Segal McCambridge Singer & Mahoney and Joseph Rice, managing partner of Motley Rice.

Individuals unable to attend the conference may also download the report by [clicking here](#).

[Click here](#) to learn more about the conference.

About Bates White

Bates White is a national economics consulting firm of more than 120 professionals. Established in 1999, Bates White offers consulting services in economics, finance, and business analytics. Bates White has offices in Washington, D.C., and San Diego, Calif. For detailed information about Bates White, visit www.bateswhite.com.

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