

# \$8 Billion Plan Proposed to Pay Sick Talcum Powder Users

**Your rights could be impacted by a proposed bankruptcy if you are sick now or in the future from ovarian or gynecological cancer.**

- Please read this notice carefully, as it may impact your rights.
- Johnson & Johnson (“J&J”) and a subsidiary, LLT Management LLC (“LLT”), on behalf of Red River Talc LLC (“Red River”), have agreed to pay \$7.898 billion over 25 years to people who claim their talcum powder products made them sick. The companies maintain that their products are safe, do not contain asbestos, and do not cause cancer or other illnesses.
- If you believe you are sick or may become sick from using J&J products that contained talc, such as Johnson’s Baby Powder and Shower to Shower, you may have an opportunity to vote on a bankruptcy plan that governs how claims will be funded and paid. This is called the “Plan”.<sup>1</sup>
- Under the Plan, qualifying current and future talc claims will be compensated. The Plan may only move forward if 75% of voters accept it. Please note that if you believe talc caused mesothelioma or lung cancer, your claim is not part of the Plan. Canadian claims are also excluded from the Plan.
- If there are enough votes to accept the Plan, LLT may form Red River to become responsible for claims that talc caused ovarian or gynecological cancer.
- If the Plan is approved, you will not be able to bring a lawsuit against Red River or other parties (including J&J) for any talc claim covered by the Plan. Instead, you will be compensated from a multi-billion-dollar trust.

<b>KEY DATES AND DEADLINES</b>	
<b>VOTE ON THE PLAN</b>	Vote to accept or reject the Plan. Fill out and submit the voting ballot by 4:00 p.m. CT on July 26, 2024. See Question 8.
<b>CONFIRMATION HEARING</b>	If 75% or more of voters accept the Plan, Red River may file for bankruptcy. The bankruptcy court will set a hearing to consider confirmation of the Plan at a later date. See Question 12.

<sup>1</sup> To the extent of any conflict between this notice and the Plan, the Plan controls. Capitalized terms used in this notice that are not defined have the meaning given to them in the Plan.

- You may want to consult with an attorney regarding this notice and whether you should vote on the Plan.

## **BASIC INFORMATION**

### **1. Why was this notice issued?**

Red River may file a chapter 11 bankruptcy case in Texas (see Question 13 for an explanation of chapter 11). Prior to filing, LLT, on behalf of Red River, decided to notify potential claimants and set a deadline for voting on the Plan. This is called a pre-packaged bankruptcy (see Question 3). You have the right to vote on the Plan if you have a qualifying talc-related claim.

If Red River files a bankruptcy case, the case will be called *In re: Red River Talc LLC*. A judge in the bankruptcy court would be assigned to oversee the case. Red River Talc LLC (or Red River) would be called the “Debtor”.

### **2. What is Red River?**

In October 2021, J&J began a process to resolve claims asserted in the talc lawsuits. As part of this process, J&J established a subsidiary called LTL Management LLC (later named LLT) that became responsible for the claims related to the company's cosmetic talc products, including Johnson's Baby Powder and Shower to Shower. If there are enough votes to accept the Plan, LLT may form Red River, which will become responsible for claims that talc caused ovarian or gynecological cancer.

### **3. What is a pre-packaged bankruptcy?**

In simple terms, a pre-packaged bankruptcy is a way for a company to work with its potential creditors (for example, ovarian cancer claimants) ahead of time to come up with a plan and to have potential creditors vote on the plan before filing for bankruptcy.

### **4. What are the talc claims?**

The lawsuits filed generally claimed that J&J talcum powder (or asbestos alleged to be contained in the talcum powder) caused users to develop ovarian cancer and other illnesses.

J&J and LLT have won approximately 95% of ovarian cases tried to date, including every ovarian cancer case tried over the last six years. In addition, based on the historical run rate, if the Plan were not approved, it would take decades to litigate the remaining cases. Therefore, most claimants would never have “their day in court.” While solicitation of the Plan is pending, J&J and LLT remain committed to litigating in the tort system against those claimants who elect not to settle, including challenging the scientific validity of the claimants’ experts.

J&J discontinued Johnson’s talc-based Baby Powder in May 2020 in the U.S. and Canada and sold Shower to Shower to Valeant Pharmaceuticals Inc. (now Bausch Health Cos.) in 2012.

### **5. How do I know if I have a talc claim covered by the Plan?**

A talc claim covered by the Plan (referred to in the Plan as a Channeled Talc Personal Injury Claim) is any claim for compensation for any talc-related injury, disease, or death, excluding mesothelioma

**QUESTIONS? 1-888-431-4056 (TOLL-FREE U.S. & CANADA) OR +1-503-822-6762 (INTERNATIONAL)  
OR VISIT [WWW.OFFICIALTALCCLAIMS.COM](http://WWW.OFFICIALTALCCLAIMS.COM)**

and lung cancer. Talc claims include: (1) those that have been filed but have not been resolved, dismissed, or settled (and fully paid) and (2) those that have not yet been filed.

Your claim is covered by the Plan if you believe any of the following are the result of your (or the person on whose behalf you are voting) J&J talc product use: bodily injury, death, sickness, disease, emotional distress, fear of cancer, medical monitoring, or other personal injuries (whether physical, emotional, or otherwise).

Your claim is **not** covered by the Plan if you believe mesothelioma or lung cancer are the result of your (or the person on whose behalf you are voting) J&J talc product use.

Even if you have a claim, it is possible that you are not entitled to payment from the trust.

## THE PLAN

### 6. How was the Plan developed?

The Plan is the product of negotiations between LLT, J&J, and certain law firms representing talc claimants. The Plan is designed to pay current and future talc claimants fairly over time, and it provides a way for claimants to receive compensation without going to trial.

## VOTING ON THE PLAN

### 7. Who can vote on the Plan?

Anyone who has a claim against LLT or Red River for a qualifying talc-related illness may vote on the Plan. Please note that Red River may ask the bankruptcy court to disregard votes from claimants unable to confirm certain facts, as more fully explained in the ballots. Therefore, even if you vote on the Plan, your vote may not be counted, and you may not be entitled to payment by the trust. You may also vote on behalf of a family member who is deceased, incapacitated, or a minor. Please note that mesothelioma and lung cancer claims, as well as Canadian claims, are not part of the Plan.

### 8. How can I vote on the Plan?

You will need to vote to accept or reject the Plan. More information is available in a “Solicitation Package.” This package includes the Plan, ballot, and other related information, and may be supplemented with additional materials from time to time in what is referred to as a “Plan Supplement.” The Plan Supplement will be posted at least 28 days before the Voting Deadline. Please see Question 9 if you or your attorney did not receive a Solicitation Package.

To be counted, your signed ballot indicating your acceptance or rejection of the Plan must be received by Epiq Corporate Restructuring, LLC, the appointed noticing and balloting agent, no later than **4:00 p.m. (Central Time) on July 26, 2024**. ballots should be sent:

<b>By Mail, Overnight Courier, or Hand Delivery</b>	<b>Through the Bankruptcy Case Website</b>
<p data-bbox="250 338 751 552"> <b>First Class Mail</b>  Red River Talc LLC  Ballot Processing Center  c/o Epiq Corporate Restructuring, LLC  P.O. Box 4419  Beaverton, OR 97076-4419 </p> <p data-bbox="250 615 751 825"> <b>Overnight Courier or Hand Delivery</b>  Red River Talc LLC  Ballot Processing Center  c/o Epiq Corporate Restructuring, LLC  10300 SW Allen Blvd.  Beaverton, OR 97005 </p>	<p data-bbox="899 338 1341 405"> File an E-Ballot at  <a href="https://dm.epiq11.com/redrivertalc">https://dm.epiq11.com/redrivertalc</a> </p> <p data-bbox="829 447 1409 552"> You will need a Unique E-Ballot ID# that can be found in the Solicitation Package that was mailed to you or your attorney. </p>

Find more information on the voting process at [www.OfficialTalcClaims.com](http://www.OfficialTalcClaims.com).

**9. How do I vote on the Plan if I did not receive a Solicitation Package?**

If you or your attorney did not receive a Solicitation Package, this means LLT or Red River may not be aware of your talc claim. Visit [www.OfficialTalcClaims.com](http://www.OfficialTalcClaims.com) or call 1-888-431-4056 to request a Solicitation Package to determine whether you can vote on the Plan.

**10. What happens if I send more than one vote for the same talc claim or I don't submit a ballot on time?**

If you send more than one vote for the same claim, the last ballot received before the Voting Deadline will be the vote that is counted. Ballots filed after the deadline will not be counted.

**OBJECTING TO THE PLAN**

**11. Can I object to the Plan if I don't like it?**

If Red River files for bankruptcy, the bankruptcy court will set a deadline to object to the Plan. Additional information on how to object to the Plan will be provided in a future notice that will be available at [www.OfficialTalcClaims.com](http://www.OfficialTalcClaims.com). Your objection must be filed on time and follow the guidelines in the notice, or it may not be considered by Red River and the bankruptcy court.

## THE CONFIRMATION HEARING

### 12. When and where will the bankruptcy court decide whether to approve the Plan?

If 75% or more of voters accept the Plan, Red River may file for bankruptcy. The bankruptcy court will set a hearing to consider confirmation of the Plan at a later date.

## ADDITIONAL INFORMATION

### 13. What is Chapter 11?

The main objectives of chapter 11 are to:

- Propose a plan of reorganization to address claims,
- Have eligible claimants vote to accept or reject the plan, and
- Implement the plan if the court approves it.

### 14. What is a Disclosure Statement?

The Disclosure Statement is a summary of information about LLT, Red River, and the Plan. It contains more detailed information about LLT's history, litigation against LLT, formation of Red River, and significant events that have led to the Plan. It also provides more detail about the Plan and what happens if the Plan is approved by the court, including how claims will be resolved and payments will be made.

The Disclosure Statement is available in your Solicitation Package or online at [www.OfficialTalcClaims.com](http://www.OfficialTalcClaims.com).

### 15. What could be released under the Plan?

Red River intends to seek a release of and injunction as to the Protected Parties (see Question 16) in connection with any potential liability that they might have related to talc claims against Red River. If the court approves a release and injunction, these provisions would prevent you from filing lawsuits against Red River and the Protected Parties related to your talc claim. Instead, the proposed Plan for Red River will channel these claims into the trust for talc claimants.

### 16. Who are the Protected Parties?

The Protected Parties include, but are not limited to: (a) Red River and its Representatives; (b) the Reorganized Debtor and its Representatives; (c) the Red River Corporate Parties (includes J&J) listed on Schedule 1 to the Plan and their Representatives; (d) the Settling Talc Insurance Companies; (e) the retailers, parties indemnified by the Debtor, and other Persons listed on

Schedule 3 to the Plan; and (f) potentially the Imerys Protected Parties listed on Schedule 2 to the Plan.

The Schedules and Exhibits to the Plan are available in the Solicitation Package or at [www.OfficialTalcClaims.com](http://www.OfficialTalcClaims.com). The Plan Supplement will be posted 28 days prior to the Voting Deadline.

**You may want to consult with an attorney regarding this notice and whether you should vote on the Plan.**