

FAQs: Litigation Medical Records Depository

www.lmi-med.com

Gatekeeper, Litigation Medical Records Depository

Litigation Management, Inc.

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Q: How do I gain access to the records collected to date for my claimants?

A: To gain access to the records of claimants you represent that may be available on the LMRD free of charge, you must do 2 things. First, you have to submit your registration spreadsheet to the Claims Administrator, BrownGreer ("BG"). At a minimum, the registration spreadsheet must provide the claimant's identifying information, lawsuit or tolling information, and injury information. Free access is only granted to Registered Eligible Claimants. For example, if the registered claimant does not allege a myocardial infarction, sudden cardiac death or ischemic stroke, you will not receive free access for that claimant's records. Second, you must contact the Depository Gatekeeper via email, depositorygatekeeper@lmi-med.com or phone, 440-484-2030, to request login information for free access to the LMRD. You must register with the Depository Gatekeeper for free access even if you or your firm had an existing account with Litigation Management, Inc. ("LMI") prior to November 9, 2007. A new username(s) and password(s) will be provided to you for free access to the records available on the LMRD. If you have never had an account with LMI, you will receive a brief list of information required to establish an account. A hard copy of the Terms of Use Agreement with an original signature of someone with authority to bind your firm must be received by LMI before you will be able to access the LMRD.

Q: I have been issued a free access username and password, but there are no records posted for some or all of my claimants. Why?

A: There could be several explanations. First, the LMRD may not have any records for that claimant. Second, the claimant whose records you are trying to view free of charge may not have registered an eligible injury with the claims administrator. Only the records of claimants who registered an eligible injury will be available free of charge on the LMRD. Third, the claimant whose records you are trying to view may not have been a party to a tolling agreement or had a lawsuit on file on or before November 9, 2007 or may be otherwise ineligible for the resolution program. Fourth, it is possible that the LMRD has not yet received your registration information or updated registration information from the Claims Administrator. Fifth, your free access for that claimant has ended based on that claimant's status within the settlement program.

If you are unable to access records for a claimant that you feel should be accessible on the site, particularly with respect to the third point above, please contact Stephen Lanza, Esq. at Hughes Hubbard & Reed LLP by email at lanza@hugheshubbard.com or by phone at 201-946-5736.

Q: Generally, how long does it take for records to be posted to the LMRD after receipt from the provider?

A: Generally, barring technical difficulties, all records LMI has received are posted to the website within 2 weeks of being received.

Q: If records have not been collected yet for my claimant, will LMI issue a request for those records or follow up on a pending request on my behalf?

A: No. LMI will not issue new requests for records or follow-up on any pending records.

Q: How long after registering before I receive free access to the records available?

A: Free access to the records will be made available generally within two business days following LMI's receipt of your firm's registration documents from BG. Please contact and follow up with the Depository Gatekeeper for more specific information.

Q: What if I continue to incur charges for records after I have received my LMRD login information?

A: There are two key steps to both prevent and investigate possible improper charges. First, please verify you are using login information provided by LMI specifically for free access to the LMRD. Only login information will allow you to access records free of charge. If you are using a username and password issued prior to November 9, 2007, you will only be given access to the records for a fee. Second, please be sure the claimant whose records you access is one that is registered as alleging an eligible injury, as only these claimants' records are available at no cost.

When LMI's records indicate a claimant has registered alleging an eligible injury, the Bates page range links to that claimant's records should appear automatically. If your view of the website is not consistent with this, please contact the Depository Gatekeeper **prior to agreeing to purchase**. Charges for records inadvertently purchased will not necessarily be refunded. If you had a fee-based account, it will remain available and active – basically, unchanged – as to those of your clients who you have not registered as alleging an eligible injury.

Q: How do I transmit my registration documentation to LMI?

A: Please do not send your registration materials to LMI. Please send your firm's registration documentation via email to the address for the Claims Administrator as directed in the applicable registration order. The Claims Administrator will forward your registration information to LMI. LMI is unable to accept registration information via any other means, and therefore, sending them in any other manner will not expedite processing or your firm's ability to access the Depository.

Q: Can LMI send me the records it has for my claimants on CD or DVD or in paper form?

A: No. Due to the volume of firms and claimants involved in the Vioxx settlement process, the most expedient, fair and efficient mechanism for everyone to access their claimants' records is the web-based access portal.