

**PLAINTIFFS' STEERING COMMITTEE IN MDL NO. 2419, *IN RE: NEW ENGLAND
COMPOUNDING COMPANY, INC. PRODUCTS LIABILITY LITIGATION***

March 6, 2015

**TO: THOSE WHO SUFFERED INJURY OR DEATH AS A RESULT OF BEING
ADMINISTERED A CONTAMINATED DRUG COMPOUNDED BY NEW
ENGLAND COMPOUNDING PHARMACY, INC.**

The Plaintiffs' Steering Committee supports the accompanying Plan, believes that the Plan is in the best interests of Tort Claimants, and urges all Tort Claimants to vote to accept the Plan.

The Plaintiffs' Steering Committee (the "PSC")¹ was appointed by the Massachusetts District Court in MDL No. 2419, *In Re: New England Compounding Pharmacy Inc. Products Liability Litigation*² to represent the interests of those individuals who suffered injury or death as a result of being administered a contaminated drug compounded and distributed by the New England Compounding Pharmacy Inc. d/b/a New England Compounding Center ("NECC"). Those who have potential personal injury claims against NECC and other potentially liable defendants are known and referred to as "Tort Claimants."

The PSC recommends the First Amended Joint Chapter 11 Plan of New England Compounding Pharmacy, Inc. dated February 22, 2015 (the "Plan"). The Plan, described in the Disclosure Statement for First Amended Joint Chapter 11 Plan of New England Compounding Pharmacy, Inc. dated February 22, 2015 (the "Disclosure Statement"), outlines, among other things, the treatment of "Tort Claims" (Class D). Tort Claims are claims based on personal injury and/or wrongful death relating to NECC products. More information is also available in the accompanying Overview of the Joint Chapter 11 Plan and Disclosure Statement (the "Plan Overview") provided by the PSC.

The Plan is being jointly proposed by the Official Committee of Unsecured Creditors of NECC (the "Committee") and the Chapter 11 Trustee appointed to administer NECC's bankruptcy estate (the "Trustee"), collectively, the "Plan Proponents." The Plan Proponents have consulted extensively with the PSC in the crafting of the Plan. The PSC has also been involved in negotiations over each of the Settlements reached. Those Settlements are described in the Plan, the Disclosure Statement and the Plan Overview. The PSC strongly supports acceptance of the Plan and urges all Tort Claimants to vote to accept it.

The PSC believes that the Settlements and the establishment of the Tort Trust represent a fair and equitable resolution of Tort Claimants' claims against NECC. In addition, it believes that the Plan will result in a larger distribution to Tort Claimants than would result from a liquidation of NECC under Chapter 7 of the Bankruptcy Code or through further litigation of the NECC tragedy.

¹ Hagens Berman Sobol Shapiro LLP, Lieff Cabraser Heimann & Bernstein, LLP, Lipton Law, Janet, Jenner & Suggs, LLC, Crandall & Katt, The Orlando Firm, P.C., Branstetter Stranch & Jennings PLLC.

² United States District Court for the District of Massachusetts, Case No. 13-2419.

If you have any questions as to how to complete the Ballot, submit your Ballot, or vote on the Plan, contact the Debtor's claims and noticing agent, Donlin, Recano & Company, Inc., at (212) 771-1128 or email balloting@donlinrecano.com.

If you have any questions about this recommendation, you may contact Mike Barker at mikeb@hbsslaw.com for a referral to someone who can answer your particular questions.

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