

### **Procedure for Appeals to Special Master**

Please note that pursuant to the Settlement Agreements, if GAF denies a Settlement Class Member's claim in whole or in part, the Settlement Class Member has the right to appeal the denial. The following procedures will govern any such appeal:

- (a) The Settlement Class Member will have thirty-five (35) days from receipt of the Notice of Denial to appeal to the Special Master. The Settlement Class Member shall open an appeal by sending a letter to the Special Master ("Notice of Appeal"), with a copy to GAF, setting forth the reason for the appeal and grounds on which it is challenging GAF's denial of the Claim.
- (b) The Settlement Class Member shall pay a \$200 filing fee to the Special Master along with the submission of an appeal. If such amount is not fully paid within five (5) business days of the Notice of Appeal, the appeal shall be dismissed. Check should be made payable to "Clerk, US District Court."

**Your Notice of Appeal and \$200.00 Filing Fee must be sent to:**

Duffy & Young LLC  
Attn: John Linton  
96 Broad Street  
Charleston, SC 29401

**A copy of the Notice of Appeal must also be sent to:**

GAF  
Attn: Warranty Claims Department  
1 Campus Drive  
Parsippany, NJ 07054

- (c) The Special Master shall review the Claim, any related documentation of the Claim, and such other related information as the Settlement Class Member, Coordinating Class Counsel, or GAF may submit. Within thirty (30) days of the Notice of Appeal, both the Settlement Class Member and GAF shall be entitled to submit affidavits, declarations, or other evidence in support of its respective position ("Initial Submission"). In the event that either party submits an Initial Submission, the other party shall have sixty (60) days to submit affidavits, declarations, or other evidence in direct response to the Initial Submission.
- (d) In any such appeal, the Special Master may request that an Independent Claim Investigator inspect the Settlement Class Member's property and evaluate the Claim pursuant to the terms of the Settlement Agreements. Such an inspection shall be requested within forty-five (45) days of the Notice of Appeal, and shall be completed by the Independent Claim Investigator within sixty (60) days of the inspection request, weather permitting. The Independent Claim Investigator will submit a written report setting forth his or her findings to the Special Master, Settlement Class Member, Coordinating Class Counsel, and GAF as soon as possible following the inspection and no later than thirty (30) days following the inspection.
- (e) Following receipt of any report of the Independent Claim Investigator, the Settlement Class Member, Coordinating Class Counsel, and GAF will have twenty (20) days to submit additional information to the Special Master.
- (f) Any dispute as to whether a Settlement Class member has properly complied with the Claims procedure set forth in the Settlement Agreements will be resolved by the Special Master.
- (g) Any dispute as to whether GAF has properly established that a Causation Defense was a principal cause of any Cracked Timberline® Shingles will be determined by the Special Master, and any Party will have the right to appeal the Special Master's determination to the Court.
- (h) The Special Master shall make a written determination as to whether he or she concurs with GAF's determination of the Claim. The \$200 filing fee payable pursuant to paragraph (b) shall be refunded to the Settlement Class Member unless the Special Master determines that the request for an independent review was fraudulent or that the shingles at issue were not GAF Timberline® shingles.