

I. ACTIVITIES IN THE REPORTING PERIOD.

A. OUTREACH TO POTENTIAL CLAIMANTS UPDATE.

2. In the *Eighteenth Status Report of the Special Master*, dated July 17, 2020 [Dkt. No. 128], the Special Master informed the Court there may be as many as sixty (60) personal injury cases involving the rupture or aggressive deployment of a Takata phase-stabilized ammonium nitrate (“PSAN”) airbag inflator that had been settled with an original equipment manufacturer prior to the establishment of the IRF, but for which claimants have yet to file a corresponding claim with the IRF. In furtherance of his mandate, the Special Master offered to provide additional individualized notice to these persons as IRF records indicate that up to one half of these cases potentially involved individuals who were not represented by counsel, and a portion of these individuals appear to have executed releases that did not release Takata.

3. To date, the Special Master has notified thirty-four (34) of these potential claimants via mailing that they may be eligible for compensation from the IRF and directed them to contact the Special Master’s office for additional information.

**B. FINALIZATION OF BDO
AGREED-UPON PROCEDURES AUDIT REPORT.**

4. On August 18, 2020, BDO USA LLP (“BDO”), the independent accountants and auditors retained by the Special Master to review the internal procedures and processes by which the Special Master administers expenses and makes compensatory payments from the Individual Restitution Fund to victims, finalized its agreed-upon procedures report of the Individual Restitution Fund. BDO noted no exceptions to the agreed-upon procedures upon its review and reflected such conclusion in its written report.

C. APPROVAL OF FOURTH IRF DISTRIBUTION REQUEST.

5. On July 17, 2020, the Special Master filed the *Special Master’s Request for Approval of Fourth Distribution of Individual Restitution Fund* (the “Fourth IRF Distribution Request”) [Dkt. No. 127], seeking Court-approval for: (i) a fourth distribution from the IRF to compensate six (6) eligible Claims, and (ii) the denial of fourteen (14) ineligible Claims. On August 24, 2020, the Court entered an order granting the Special Master’s Request. *See Order Granting Special Master’s Request For Approval Of Fourth Distribution Of Individual Restitution Fund* [Dkt. No. 129]. As of the date of this filing, the Special Master’s office has received signed releases for five (5) of the compensable Claims approved in respect of the Fourth IRF Distribution Request.

D. CURRENT CLAIMS PAYMENT PROCESS.

6. Contemporaneous with this filing, the Special Master also filed the *Special Master's Request for Approval of Fifth Distribution of Individual Restitution Fund* (the "Fifth IRF Distribution Request") [Dkt. No. 130], seeking Court-approval for: (i) a fifth distribution from the IRF to compensate seven (7) eligible Claims, and (ii) the denial of nine (9) ineligible Claims.

7. As described in the Fifth IRF Distribution Request, the Special Master evaluated each Claim referenced therein, determined whether it is eligible for compensation and, if eligible, assigned a point value. In total, after all internal reviews and appeals, 3,425 points were awarded to the seven (7) eligible Claims, amounting to a proposed distribution of \$243,209.25. The Special Master also determined nine (9) Claims to be ineligible for compensation.

8. Consistent with the procedures set forth in the *Minutes of July 25, 2019 Conference with Special Master* (the "July 2019 Minutes Order") [Dkt. No. 110], the Special Master notified the affected Claimants: (i) of their point award and the monetary value of the award (if any); (ii) of the filing of the Fifth IRF Distribution Request; and (iii) that such Claimants may object to the Fifth IRF Distribution Request by submitting a written response to the Special Master on or before October 6, 2020 (the "Objection Deadline").

9. As the Court is aware, there are two conditions that must be met for Claimants with compensable Claims to receive payment from the IRF. First, all Claimants must execute and submit to the Special Master the Court-approved release agreement (a “Release”). Additionally, if any Claimant was represented by counsel, such counsel must execute and submit to the Special Master a fee rider (a “Fee Rider”) acknowledging and agreeing to abide by the restriction on attorney’s fees set forth in the IRF Methodology Order. [Dkt. No. 78, Page ID 2219]. The Special Master will issue payment to eligible Claimants on a rolling basis following receipt of the necessary documentation.

II. GOING FORWARD EFFORTS.

10. As stated above, the Special Master and his team will continue to receive claims for compensation from the IRF and TATCTF (in his capacity as Trustee of that Trust), and will continue the process of reviewing, evaluating, and distributing funds on account of claims. The Special Master and his team will also continue to evaluate the claims data and recall completion rate data in connection with any future point-value evaluations. The Special Master and his claims evaluation team remain committed to completing its initial evaluation of Claims within thirty (30) days of Special Master’s receipt thereof.

11. As further described in the Eighteenth Status Report, the Special Master remains on pace to conduct a major re-estimation process in the first

quarter of 2021, which may result in a change in the value of a point and could result in true-up payments for claimants who have already been compensated from the Individual Restitution Fund.

CONCLUSION

12. The Special Master will continue to perform his responsibilities and duties consistent with the Appointment Order and all other directives of this Court.

Dated: September 15, 2020

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'E. D. Green', written over a horizontal line.

Eric D. Green, Special Master