

# **EXHIBIT E**

## **Lists of Neutral Arbitrators On The OIA Panel as of December 31, 2004**

## **EXHIBIT**

### **OIA Panel of Neutral Arbitrators**

#### **Northern California**

Justice Nat Anthony Agliano  
Judge Demetrios P. Agretelis, (Ret.)  
Judge Paul J. Aiello, (Ret.)  
Judge John M. Allen  
Mr. Roger F. Allen, Esq.  
Justice Carl West Anderson, (Ret.)  
Judge Michael E. Ballachey, (Ret.)  
Ms. Eileen Barker, Esq.  
Judge Michael J. Berger  
Judge Joseph F. Biafore, Jr.  
Mr. Daniel V. Blackstock, Esq.  
Judge Allan J. Bollhoffer  
Ms. Barri Kaplan Bonapart, Esq.  
Judge Cecily Bond, (Ret.)  
Mr. Robert J. Brockman, Esq.  
Mr. Fred D. Butler, Esq.  
Judge Robert K. Byers  
Mr. Thomas Campbell, Esq.  
Judge Victor Campilongo  
Judge Alfred G. Chiantelli, (Ret.)  
Mr. Casey Clow, Esq.  
Mr. Thomas A. Cohen, Esq.  
Mr. James S. Crawford, Esq.  
Judge Thomas Dandurand  
Mr. Thomas H.R. Denver, Esq.  
Ms. Reggie Derryberry, Esq.  
Judge Benjamin A. Diaz, (Ret.)  
Mr. Paul J. Dubow, Esq.  
Judge James Duvaras  
Mr. Joseph Elie, Esq.  
Mr. Eric S. Emanuels, Esq.  
Mr. Steven R. Enochian, Esq.  
Mr. Douglas L. Field, Esq.  
Judge John A. Flaherty, (Ret.)  
Mr. Kenneth D. Gack, Esq.  
Judge John J. Gallagher

Judge David A. Garcia  
Mr. James L. Gault, Esq.  
Judge Wm. R. Giffen, (Ret.)  
Ms. Ruth V. Glick, Esq.  
Mr. Stephen B. Gorman, Esq.  
Judge Arnold Greenberg, (Ret.)  
Judge Sheldon H. Grossfeld  
Judge Ina Levin Gyemant, (Ret.)  
Mr. Arnold B. Haims, Esq.  
Judge Zerne P. Haning  
Mr. Michael G. Harper, Esq.  
Ms. Catherine C. Harris, Esq.  
Mr. Douglas W. Holt, Esq.  
Mr. Val D. Hornstein, Esq.  
Mr. Darryl J. Horowitz, Esq.  
Mr. Garry J.D. Hubert, Esq.  
Ms. Nancy Hutt, Esq.  
Mr. Ralph L. Jacobson, Esq.  
Judge Ellen Sickles James  
Mr. Thomas A. Johnson, Esq.  
Judge Ken M. Kawaichi, (Ret.)  
Mr. John P. Kelly, Esq.  
Mr. Donald H. Kincaid, Esq.  
Mr. Alfred P. Knoll, Esq.  
Mr. Martin David Koczanowicz, Esq.  
Ms. Barbara Kong-Brown, Esq.  
Mr. P. Beach Kuhl, Esq.  
Mr. Ernest B. Lageson, Esq.  
Judge Henry B. Lasky  
Mr. Urs M. Lauchli, Esq.  
Judge David C. Lee, (Ret.)  
Judge Darrel Lewis, (Ret.)  
Justice Harry W. Low  
Mr. Nicholas R. Marchi, Esq.  
Judge John A. Marlo  
Mr. Allan J. Mayer, Esq.  
Mr. John J. McCauley, Esq.  
Mr. Brick E. McIntosh, Esq.  
Mr. Mel McKinney, Esq.  
Mr. David J. Meadows, Esq.  
Mr. Carl Meyer, Esq.  
Ms. Susan H. Mosk, Esq.  
Mr. Robert A. Murray, Esq.

Mr. Jeffrey Scott Nelson, Esq.  
Ms. Trish Nugent, Esq.  
Judge Suzanne K. Nusbaum  
Mr. Scott O'Brien, Esq.  
Mr. William J. O'Connor, Esq.  
Ms. Julia J. Parranto, Esq.  
Judge Richard L. Patsey, (Ret.)  
Judge Irving H. Perluss  
Ms. Andrea M. Ponticello, Esq.  
Mr. Thomas D. Reese, Esq.  
Judge Hadden Roth  
Mr. Alan R. Rothstein, Esq.  
Mr. Geoffrey E. Russell, Esq.  
Mr. William Samsel, Esq.  
Ms. Patricia Shuler Schimbor, Esq.  
Mr. Clifford K. Sessions, Esq.  
Ms. Rhonda D. Shelton, Esq.  
Mr. Robert J. Sheppard, Esq.  
Mr. Melvyn D. Silver, Esq.  
Mr. Douglas L. Smith, Esq.  
Judge Norman Spellberg  
Judge Leonard B. Sprinkles  
Judge Frederick R. Stevens, (Ret.)  
Professor Jon H. Sylvester  
Mr. Ronald I. Toff, Esq.  
Mr. Gregory D. Walker, Esq.  
Judge Noel Watkins  
Mr. Gary A. Weiner, Esq.  
Judge Rebecca Westerfield  
Mr. Barry S. Willdorf, Esq.  
Judge Raymond D. Williamson, Jr.  
Mr. Philip Young, Esq.

## OIA Panel of Neutral Arbitrators

### Southern California

Judge David J. Aisenson  
Judge James Albracht, (Ret.)  
Mr. Leon J. Alexander, Esq.  
Judge James J. Alfano  
Mr. Clifford R. Anderson, Esq.  
Justice John A. Arguelles  
Mr. Maurice J. Attie, Esq.  
Judge Michael Berg, (Ret.)  
Mr. Stuart Berkley, Esq.  
Judge Victor Bianchini  
Mr. Stephen M. Biersmith, Esq.  
Ms. Marianne P. Borselle, Esq.  
Judge David H. Brickner, (Ret.)  
Mr. Frank R. Brown, Esq.  
Mr. Michael D. Brown, Esq.  
Judge William E. Burby  
Ms. Adriana M. Burger, Esq.  
Judge Raymond Cardenas, (Ret.)  
Mr. Richard A. Carrington, Esq.  
Judge Richard F. Charvat  
Judge Eli Chernow, (Ret.)  
Mr. Walter K. Childers, Esq.  
Mr. Michael A. Cholodenko, Esq.  
Mr. Laurence R. Clarke, Esq.  
Mr. John B. Cobb, Esq.  
Mr. Peter D. Collisson, Esq.  
Judge Barnet M. Cooperman  
Judge Geary D. Cortes, (Ret.)  
Mr. James A. Crary, Esq.  
Mr. John P. Daniels, Esq.  
Ms. Paula A. Daniels, Esq.  
Mr. Richard J. Decker, Esq.  
Mr. John P. DeGomez, Esq.  
Judge George M. Dell  
Mr. Richard A. DeSantis, Esq.  
Justice Robert R. Devich, (Ret.)  
Judge Vincent DiFiglia  
Mr. Thomas S. Dillard, Esq.  
Mr. Charles I. Dolginer, Esq.

Ms. Wendy L. Doo, Esq.  
Mr. John E. Edwards, Esq.  
Ms. Katherine J. Edwards, Esq.  
Mr. James M. Eisenman, Esq.  
Mr. David R. Flyer, Esq.  
Mr. Ronald F. Frazier, Esq.  
Mr. Thomas I. Friedman, Esq.  
Ms. Dolly M. Gee, Esq.  
Judge Jack E. Goertzen  
Judge Arnold H. Gold, (Ret.)  
Judge Norman W. Gordon  
Mr. Ernest S. Gould, Esq.  
Mr. Bruce A. Greenberg, Esq.  
Judge Alan Haber  
Mr. John H. Hachmeister, Esq.  
Mr. Jon Anders Hammerbeck, Esq.  
Mr. Robert T. Hanger, Esq.  
Judge Margaret M. Hay  
Mr. Richard C. Henderson, Esq.  
Ms. Roseann Herman, Esq.  
Mr. Bud Hill, Esq.  
Mr. Mandel E. Himmelstein, Esq.  
Judge David Allen Horowitz, (Ret.)  
Mr. Jerry W. Howard, Esq.  
Mr. Christian Gregory Howland, Esq.  
Mr. Lawrence A. Huerta, Esq.  
Judge William Pitt Hyde, (Ret.)  
Mr. Godfrey Isaac, Esq.  
Judge James A. Jackman, (Ret.)  
Mr. J. Craig Jenkins, Esq.  
Mr. B. Elliott Johnson, Esq.  
Judge Joseph E. Johnston  
Mr. Raymond T. Kaiser, Esq.  
Judge Edward Y. Kakita, (Ret.)  
Mr. Kevin M. Kallberg, Esq.  
Judge Bernard Kaufman  
Judge John W. Kennedy Jr.  
Mr. John O. Kent, Esq.  
Ms. Elizabeth Kim, Esq.  
Ms. Jill Klein, Esq.  
Mr. Martin David Koczanowicz, Esq.  
Ms. Eileen Kramer, Esq.  
Mr. Bryan Kravetz, Esq.

Mr. Martin Krawiec, Esq.  
Mr. Paul L. Krentzman, Esq.  
Judge Peter Krichman  
Ms. Adrienne L. Krikorian, Esq.  
Mr. Jeffrey Krivis, Esq.  
Judge Stephen M. Lachs  
Mr. Theo Lacy, Esq.  
Ms. Louise A. LaMothe, Esq.  
Mr. Dennis O. LaRochelle, Esq.  
Ms. June Lehrman, Esq.  
Mr. Boyd Lemon, Esq.  
Mr. Philip R. LeVine, Esq.  
Mr. Stuart Libicki, Esq.  
Judge Richard Luesebrink  
Judge Michael D. Marcus  
Ms. Christine Masters, Esq.  
Mr. Allan J. Mayer, Esq.  
Mr. John J. McCauley, Esq.  
Judge Harry R. McCue, (Ret.)  
Mr. Donald McGrath, Esq.  
Mr. James J. McKee, Esq.  
Mr. Joseph D. McNeil, Esq.  
Mr. John P. Miller, Esq.  
Judge David B. Moon, (Ret.)  
Ms. Lisa S. Morse, Esq.  
Mr. Jeffrey Cabot Myers, Esq.  
Justice Richard C. Neal, (Ret.)  
Judge Jack M. Newman  
Mr. Robert W. northup, Esq.  
Judge Thomas F. Nuss, (Ret.)  
Mr. Robert J. O'Connor, Esq.  
Mr. Gilbert G. Ochoa, Esq.  
Mr. Kenan Oldham, Esq.  
Mr. Jeffrey P. Palmer, Esq.  
Judge Robert W. Parkin  
Mr. Charles B. Parselle, Esq.  
Mr. Carl B. Pearlston, Esq.  
Mr. Alexander S. Polsky, Esq.  
Ms. Marilyn Plunkett Quail, Esq.  
Mr. Byron Rabin, Esq.  
Mr. Robert A. Rees, Esq.  
Judge Elwood Rich  
Mr. Roy G. Rifkin, Esq.

Mr. William Thayer Rintala, Esq.  
Mr. Richard G. Ritchie, Esq.  
Mr. Edward J. Roberts, Esq.  
Judge Paul Rosenthal  
Judge Edward M. Ross, (Ret.)  
Mr. Charles Rossman, Esq.  
Judge Marvin D. Rowen  
Mr. Gene E. Royce, Esq.  
Judge Michael B. Rutberg, (Ret.)  
Judge Philip M. Saeta  
Mr. Myer J. Sankary, Esq.  
Mr. Alan H. Sarkisian, Esq.  
Mr. Michael F. Saydah, Esq.  
Ms. Cathy R. Schiff, Esq.  
Mr. Steven A. Schneider, Esq.  
Judge Thomas Schneider, (Ret.)  
Judge R. William Schoettler  
Judge Robert L. Schouweiler  
Judge Philip E. Schwab  
Mr. Peter J. Searle, Esq.  
Mr. Herbert E. Selwyn, Esq.  
Mr. C. David Serena, Esq.  
Judge Tully H. Seymour  
Mr. Robert M. Shafton, Esq.  
Mr. Donald S. Sherwyn, Esq.  
Judge James L. Smith  
Judge Sherman W. Smith, Jr.  
Judge Bruce J. Sottile  
Judge Frederick R. Stevens, (Ret.)  
Justice Steven J. Stone  
Mr. John A. Sullivan, Esq.  
Judge Robert W. Thomas, (Ret.)  
Mr. Jeffrey A. Tidus, Esq.  
Justice William L. Todd  
Mr. Peter C. Tornay, Esq.  
Judge Don A. Turner  
Mr. Jack A. Weichman, Esq.  
Mr. Bernard L. Weiner, Esq.  
Mr. Richard Weissman, Esq.  
Judge Andrew J. Weisz, (Ret.)  
Mr. Garry W. Williams, Esq.  
Mr. Joseph Winter, Esq.  
Mr. Alan E. Wisotsky, Esq.

Ms. Deborah Z. Wissley, Esq.  
Mr. Gary Wittenberg, Esq.  
Mr. William R. Wolanow, Esq.  
Judge Leonard S. Wolf  
Judge Delbert E. Wong  
Mr. Robert K. Wrede, Esq.  
Judge Eric E. Younger  
Mr. John Zanghi, Esq.

## OIA Panel of Neutral Arbitrators

### San Diego, California

Mr. Marc D. Adelman, Esq.  
Judge E. Mac Amos, Jr.  
Mr. Douglas H. Barker, Esq.  
Ms. Nancy T. Beardsley, Esq.  
Judge Victor Bianchini  
Ms. Marianne P. Borselle, Esq.  
Ms. Randi R. Bradstreet, Esq.  
Judge David H. Brickner, (Ret.)  
Mr. Richard R. Castillo, Esq.  
Mr. John B. Cobb, Esq.  
Mr. Peter D. Collisson, Esq.  
Judge Geary D. Cortes, (Ret.)  
Judge Vincent DiFiglia  
Mr. Thomas S. Dillard, Esq.  
Mr. John E. Edwards, Esq.  
Mr. Alfred G. Ferris, Esq.  
Mr. David R. Flyer, Esq.  
Mr. Ronald F. Frazier, Esq.  
Ms. Virginia H. Gaburo, Esq.  
Ms. Greta Glavis, Esq.  
Mr. Thomas E. Gniatkowski, Esq.  
Judge Norman W. Gordon  
Mr. Jon Anders Hammerbeck, Esq.  
Mr. Mandel E. Himmelstein, Esq.  
Judge Herbert B. Hoffman  
Judge David Allen Horowitz, (Ret.)  
Mr. Jerry W. Howard, Esq.  
Mr. Lawrence A. Huerta, Esq.  
Judge Ronald L. Johnson  
Judge Arthur W. Jones, (Ret.)  
Judge Anthony C. Joseph, (Ret.)  
Mr. Donald H. Kincaid, Esq.  
Mr. Philip R. LeVine, Esq.  
Judge Gerald J. Lewis  
Mr. Daniel B. MacLeod, Esq.  
Mr. Thomas L. Marshall, Esq.  
Mr. John J. McCauley, Esq.  
Judge Harry R. McCue, (Ret.)  
Mr. Donald McGrath, Esq.

Mr. Joseph D. McNeil, Esq.  
Judge Kevin W. Midlam  
Judge James R. Milliken  
Judge David B. Moon, (Ret.)  
Ms. Lisa S. Morse, Esq.  
Judge Jack M. Newman  
Judge Robert J. O'Neill  
Mr. Kenan Oldham, Esq.  
Ms. Marilyn Plunkett Quail, Esq.  
Mr. Byron Rabin, Esq.  
Mr. Charles D. Richmond, Esq.  
Mr. Gene E. Royce, Esq.  
Judge Michael B. Rutberg, (Ret.)  
Mr. Michael F. Saydah, Esq.  
Ms. Cathy R. Schiff, Esq.  
Mr. Peter J. Searle, Esq.  
Judge Tully H. Seymour  
Mr. Peter Shenass, Esq.  
Judge Frederick R. Stevens, (Ret.)  
Justice William L. Todd  
Mr. William J. Tucker, Esq.  
Mr. Colin W. Wied, Esq.

# **EXHIBIT F**

## **Qualifications for Neutral Arbitrators**

**Qualifications for Neutral Arbitrators  
for Kaiser Permanente's Mandatory Arbitration System**

1. Neutral arbitrators shall be members of the State Bar of California, members of the state bar of another state with extensive practice in California during the past five years, or retired state or federal judges.
2. Neutral arbitrators shall not have received public discipline or censure from the state bar of California or any other state bar in the past five years. In the case of former judges, they shall not have received public discipline or censure from any government body that has authority to discipline judges in the past five years.
3. Neutral arbitrators shall
  - (a) have been admitted to practice for at least ten years, with substantial litigation experience; AND
  - (b) have had at least three civil trials or arbitrations within the past five years in which they have served as either (i) the lead attorney for one of the parties or (ii) an arbitrator; OR
  - (c) have been a state or federal judge; OR
  - (d) have completed within the last five years a program designed specifically for the training of arbitrators.
4. Neutral arbitrators shall provide satisfactory evidence of ability to act as an Arbitrator based upon judicial, trial, or legal experience.
5. Neutral arbitrators shall not have served as party arbitrators on any matter involving Kaiser Permanente, or any affiliated organization or individual, within the last five years.
6. Neutral arbitrators shall not presently serve as attorney of record or an expert witness or a consultant for or against Kaiser Permanente, or any organization or individual affiliated with Kaiser Permanente, or have had any such matters at anytime within the past five years.
7. Neutral arbitrators shall successfully complete an application provided by the Independent Administrator.
8. Neutral arbitrators shall follow applicable arbitration statutes, substantive law of the issues addressed, and procedures of the Independent Administrator.
9. Neutral arbitrators shall comply with the provisions of code of ethics selected by the Office of the Independent Administrator.
10. Neutral arbitrators shall administer Kaiser arbitrations in a fair and efficient manner.

# **EXHIBIT G**

## **Standard 12 Disclosure Form**

## Standard 12(b) Disclosure Requirement

Arbitrator's Name \_\_\_\_\_

Please check the sentence that applies to you.

\_\_\_\_\_ If selected as a neutral arbitrator, I **will** entertain offers of permitted employment or new professional relationships -- for example, as a neutral arbitrator or mediator -- from parties, attorneys, or law firms involved in a case while that case is pending.

\_\_\_\_\_ If selected as a neutral arbitrator, I **will not** entertain offers of permitted employment or new professional relationships -- for example, as a neutral arbitrator or mediator -- from parties, attorneys, or law firms involved in a case while that case is pending.

Comments (optional):

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

# **EXHIBIT H**

## **List of All Awards to Claimants (Redacted)**

**List of All Awards to Claimants (Redacted)**

| <b>Case Number</b><br>(not actual OIA<br>case number) | <b>Amount of Awards</b> | <b>Month/Year</b> |
|---|-------------------------|-------------------|
| 1   | \$12,500.00             | 10/99             |
| 2   | \$6,560.00              | 12/99             |
| 3   | \$30,000.00             | 02/00             |
| 4   | \$102,740.00            | 03/00             |
| 5   | \$175,000.00            | 03/00             |
| 6   | \$17,706.76             | 03/00             |
| 7   | \$10,000.00             | 04/00             |
| 8   | \$109,773.06            | 04/00             |
| 9   | \$25,000.00             | 05/00             |
| 10  | \$125,000.00            | 05/00             |
| 11  | \$5,594,605.00          | 06/00             |
| 12  | \$20,202.58             | 06/00             |
| 13  | \$125,000.00            | 06/00             |
| 14  | \$96,000.00             | 06/00             |
| 15  | \$176,500.00            | 06/00             |
| 16  | \$17,000.00             | 07/00             |
| 17  | \$75,627.00             | 07/00             |
| 18  | \$427,110.00            | 07/00             |
| 19  | \$442,400.00            | 07/00             |
| 20  | \$200,000.00            | 08/00             |
| 21  | \$201,572.00            | 08/00             |
| 22  | \$28,900.00             | 09/00             |
| 23  | \$25,000.00             | 09/00             |
| 24  | \$37,950.00             | 09/00             |
| 25  | \$311,362.39            | 09/00             |
| 26  | \$200,000.00            | 10/00             |
| 27  | \$40,000.00             | 10/00             |
| 28  | \$110,738.00            | 10/00             |
| 29  | \$165,832.00            | 10/00             |
| 30  | \$59,817.25             | 11/00             |
| 31  | \$8,120.00              | 11/00             |
| 32  | \$30,975.00             | 11/00             |
| 33  | \$251,440.00            | 11/00             |
| 34  | \$175,000.00            | 12/00             |
| 35  | \$271,000.00            | 12/00             |
| 36  | \$340,000.00            | 12/00             |
| 37  | \$53,500.00             | 12/00             |
| 38  | \$160,000.00            | 12/00             |
| 39  | \$375,000.00            | 01/01             |
| 40  | \$2,850.00              | 01/01             |
| 41  | \$11,163.00             | 01/01             |
| 42  | \$61,489.00             | 01/01             |

**List of All Awards to Claimants (Redacted)**

| <b>Case Number</b><br>(not actual OIA<br>case number) | <b>Amount of Awards</b> | <b>Month/Year</b> |
|---|-------------------------|-------------------|
| 43  | \$250,000.00            | 02/01             |
| 44  | \$2,500.00              | 02/01             |
| 45  | \$79,000.00             | 02/01             |
| 46  | \$303,884.00            | 02/01             |
| 47  | \$79,047.60             | 02/01             |
| 48  | \$175,000.00            | 03/01             |
| 49  | \$316,338.00            | 03/01             |
| 50  | \$96,560.00             | 03/01             |
| 51  | \$8,000.00              | 03/01             |
| 52  | \$1,100,000.00          | 03/01             |
| 53  | \$50,000.00             | 03/01             |
| 54  | \$25,000.00             | 04/01             |
| 55  | \$7,052.00              | 05/01             |
| 56  | \$45,000.00             | 05/01             |
| 57  | \$58,646.00             | 05/01             |
| 58  | \$72,000.00             | 05/01             |
| 59  | \$175,000.00            | 06/01             |
| 60  | \$85,000.00             | 06/01             |
| 61  | \$95,000.00             | 06/01             |
| 62  | \$80,842.00             | 07/01             |
| 63  | \$2,700.00              | 07/01             |
| 64  | \$70,000.00             | 08/01             |
| 65  | \$996,100.00            | 08/01             |
| 66  | \$29,165.00             | 08/01             |
| 67  | \$80,000.00             | 08/01             |
| 68  | \$3,841.00              | 09/01             |
| 69  | \$8,524.32              | 10/01             |
| 70  | \$2,750.00              | 10/01             |
| 71  | \$504,309.72            | 10/01             |
| 72  | \$100,000.00            | 10/01             |
| 73  | \$175,000.00            | 10/01             |
| 74  | \$50,000.00             | 10/01             |
| 75  | \$22,500.00             | 11/01             |
| 76  | \$261,916.00            | 11/01             |
| 77  | \$22,500.00             | 11/01             |
| 78  | \$75,000.00             | 11/01             |
| 79  | \$250,000.00            | 11/01             |
| 80  | \$375,000.00            | 12/01             |
| 81  | \$194,000.00            | 12/01             |
| 82  | \$479,794.98            | 12/01             |
| 83  | \$17,000.00             | 12/01             |
| 84  | \$186,939.92            | 12/01             |

**List of All Awards to Claimants (Redacted)**

| <b>Case Number</b><br>(not actual OIA<br>case number) | <b>Amount of Awards</b> | <b>Month/Year</b> |
|---|-------------------------|-------------------|
| 85  | \$10,000.00             | 12/01             |
| 86  | \$30,000.00             | 12/01             |
| 87  | \$87,170.07             | 12/01             |
| 88  | \$450,000.00            | 01/02             |
| 89  | \$30,000.00             | 01/02             |
| 90  | \$21,300.00             | 01/02             |
| 91  | \$75,000.00             | 01/02             |
| 92  | \$275,000.00            | 03/02             |
| 93  | \$500,000.00            | 03/02             |
| 94  | \$45,069.00             | 04/02             |
| 95  | \$167,972.00            | 04/02             |
| 96  | \$16,667.00             | 04/02             |
| 97  | \$6,500.00              | 04/02             |
| 98  | \$306,000.00            | 05/02             |
| 99  | \$2,261.00              | 05/02             |
| 100   | \$59,898.00             | 05/02             |
| 101   | \$250,000.00            | 05/02             |
| 102   | \$273,333.34            | 05/02             |
| 103   | \$100,000.00            | 05/02             |
| 104   | \$200,000.00            | 05/02             |
| 105   | \$5,000.00              | 05/02             |
| 106   | \$1,173,107.00          | 06/02             |
| 107   | \$7,575.00              | 06/02             |
| 108   | \$3,837,529.00          | 06/02             |
| 109   | \$215,700.00            | 06/02             |
| 110   | \$365,192.00            | 06/02             |
| 111   | \$272,154.00            | 06/02             |
| 112   | \$500.00                | 07/02             |
| 113   | \$92,978.17             | 07/02             |
| 114   | \$150,000.00            | 07/02             |
| 115   | \$7,000.00              | 07/02             |
| 116   | \$100,000.00            | 07/02             |
| 117   | \$490,604.00            | 08/02             |
| 118   | \$100,530.00            | 08/02             |
| 119   | \$35,000.00             | 08/02             |
| 120   | \$875,000.00            | 08/02             |
| 121   | \$2,700,000.00          | 08/02             |
| 122   | \$41,832.00             | 09/02             |
| 123   | \$259,224.80            | 09/02             |
| 124   | \$30,000.00             | 09/02             |
| 125   | \$65,000.00             | 10/02             |
| 126   | \$229,684.00            | 10/02             |

**List of All Awards to Claimants (Redacted)**

| <b>Case Number</b><br>(not actual OIA<br>case number) | <b>Amount of Awards</b> | <b>Month/Year</b> |
|---|-------------------------|-------------------|
| 127   | \$125,000.00            | 10/02             |
| 128   | \$350,642.00            | 10/02             |
| 129   | \$998,000.00            | 10/02             |
| 130   | \$623,668.00            | 10/02             |
| 131   | \$82,872.00             | 11/02             |
| 132   | \$1,182,389.20          | 11/02             |
| 133   | \$300,000.00            | 11/02             |
| 134   | \$1,561,480.00          | 11/02             |
| 135   | \$9,460.00              | 12/02             |
| 136   | \$2,500.00              | 12/02             |
| 137   | \$253,786.00            | 12/02             |
| 138   | \$1,051,731.00          | 12/02             |
| 139   | \$150,000.00            | 01/03             |
| 140   | \$157,500.00            | 01/03             |
| 141   | \$1,250.00              | 01/03             |
| 142   | \$250,700.00            | 01/03             |
| 143   | \$36,773.00             | 01/03             |
| 144   | \$11,000.00             | 02/03             |
| 145   | \$158,625.99            | 02/03             |
| 146   | \$27,186.39             | 02/03             |
| 147   | \$250,000.00            | 02/03             |
| 148   | \$97,971.00             | 02/03             |
| 149   | \$913,852.00            | 03/03             |
| 150   | \$121,680.95            | 03/03             |
| 151   | \$443,448.69            | 03/03             |
| 152   | \$450,000.00            | 03/03             |
| 153   | \$525,962.00            | 03/03             |
| 154   | \$883,828.00            | 04/03             |
| 155   | \$15,000.00             | 04/03             |
| 156   | \$1,300.00              | 04/03             |
| 157   | \$371,600.00            | 04/03             |
| 158   | \$10,000.00             | 05/03             |
| 159   | \$366,528.00            | 05/03             |
| 160   | \$245,000.00            | 06/03             |
| 161   | \$1.00                  | 06/03             |
| 162   | \$1,318,618.50          | 06/03             |
| 163   | \$765,599.00            | 06/03             |
| 164   | \$105,732.00            | 07/03             |
| 165   | \$451,550.00            | 08/03             |
| 166   | \$60,000.00             | 08/03             |
| 167   | \$210,305.14            | 08/03             |
| 168   | \$75,000.00             | 09/03             |

**List of All Awards to Claimants (Redacted)**

| <b>Case Number</b><br>(not actual OIA<br>case number) | <b>Amount of Awards</b> | <b>Month/Year</b> |
|---|-------------------------|-------------------|
| 169   | \$346,308.06            | 09/03             |
| 170   | \$280,000.00            | 09/03             |
| 171   | \$172,274.89            | 09/03             |
| 172   | \$139,200.00            | 10/03             |
| 173   | \$558,386.00            | 10/03             |
| 174   | \$282,156.00            | 10/03             |
| 175   | \$750,348.00            | 10/03             |
| 176   | \$87,500.00             | 11/03             |
| 177   | \$7,265.70              | 11/03             |
| 178   | \$9,362.50              | 12/03             |
| 179   | \$15,000.00             | 12/03             |
| 180   | \$800,000.00            | 12/03             |
| 181   | \$69,320.00             | 12/03             |
| 182   | \$162,500.00            | 12/03             |
| 183   | \$159,750.00            | 12/03             |
| 184   | \$165,000.00            | 12/03             |
| 185   | \$411,834.00            | 12/03             |
| 186   | \$250,000.00            | 01/04             |
| 187   | \$1,200,000.00          | 01/04             |
| 188   | \$11,991.50             | 01/04             |
| 189   | \$15,968.00             | 01/04             |
| 190   | \$51,000.00             | 02/04             |
| 191   | \$32,000.00             | 02/04             |
| 192   | \$78,132.56             | 02/04             |
| 193   | \$167,728.00            | 03/04             |
| 194   | \$250,000.00            | 03/04             |
| 195   | \$25,314.79             | 03/04             |
| 196   | \$255,303.43            | 04/04             |
| 197   | \$255,700.00            | 04/04             |
| 198   | \$253,488.42            | 04/04             |
| 199   | \$59,387.36             | 04/04             |
| 200   | \$375,000.00            | 04/04             |
| 201   | \$200,000.00            | 05/04             |
| 202   | \$683,254.00            | 05/04             |
| 203   | \$248,995.25            | 05/04             |
| 204   | \$250,000.00            | 05/04             |
| 205   | \$250,000.00            | 05/04             |
| 206   | \$6,500.00              | 05/04             |
| 207   | \$389,400.00            | 06/04             |
| 208   | \$30,000.00             | 06/04             |
| 209   | \$924,692.00            | 06/04             |
| 210   | \$120,000.00            | 06/04             |

**List of All Awards to Claimants (Redacted)**

| <b>Case Number</b><br>(not actual OIA<br>case number) | <b>Amount of Awards</b> | <b>Month/Year</b> |
|---|-------------------------|-------------------|
| 211   | \$137,500.00            | 06/04             |
| 212   | \$750,000.00            | 06/04             |
| 213   | \$1,100,000.00          | 06/04             |
| 214   | \$3,000.00              | 07/04             |
| 215   | \$250,000.00            | 07/04             |
| 216   | \$895,814.00            | 07/04             |
| 217   | \$305,579.00            | 08/04             |
| 218   | \$45,000.00             | 08/04             |
| 219   | \$90,000.00             | 08/04             |
| 220   | \$799,558.00            | 08/04             |
| 221   | \$200,000.00            | 08/04             |
| 222   | \$259,517.64            | 09/04             |
| 223   | \$1,132,840.00          | 09/04             |
| 224   | \$15,000.00             | 09/04             |
| 225   | \$12,500.00             | 10/04             |
| 226   | \$28,800.00             | 10/04             |
| 227   | \$7,723.00              | 10/04             |
| 228   | \$1,279,238.00          | 10/04             |
| 229   | \$15,000.00             | 11/04             |
| 230   | \$3,300,000.00          | 11/04             |
| 231   | \$10,000.00             | 12/04             |
| 232   | \$1,276,335.00          | 12/04             |
| 233   | \$250,000.00            | 12/04             |

# **EXHIBIT I**

## **Explanation of Waivers, Forms, And Instructions**

## Explanation of Waivers

### **Payment of the \$150 Filing Fee and/or the Neutral Arbitrator's Fees and Expenses**

Under California law, the fees and expenses of the neutral arbitrator are divided between the claimants and the respondents. The Rules, however, provide ways for the claimants to shift that obligation, as well as the requirement that they pay the \$150 filing fee. These methods are discussed below.

- A. **Waiver of the \$150 Filing Fee:** Claimants whose gross monthly income is less than 300 percent of the national poverty guidelines can have the filing fee waived. To obtain the waiver, claimants must submit the attached form to the OIA within 75 days of the OIA receiving the demand for arbitration. It does not affect the neutral arbitrator's fees. See Rule 12.
  
- B. **Waiver of the \$150 Filing Fee and the Neutral Arbitrator's Fees and Expenses:** Claimants who submit the attached form that contains information about their income and expenses may receive this waiver if they meet the qualifications. This form is given to the respondents, who may object. If granted, it can waive both the filing fee and the neutral arbitrator's fees and expenses. See Rule 13.
  
- C. **Waiver of the Neutral Arbitrator's Fees and Expenses:** Claimants who sign the enclosed form(s) in which they agree not to object if Kaiser pays all the neutral arbitrator's fees and expenses, and a form in which they agree not to use a party arbitrator<sup>1</sup>, do not have to pay the neutral arbitrator's fees. No financial information is required. Claimants should send a copy of the forms to the OIA, Kaiser's attorney, and the neutral arbitrator. See Rule 15.

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<sup>1</sup>Under California law, claimants who seek less than \$200,000 have their claims heard by a single neutral arbitrator. Therefore, these claimants do not have to sign the second waiver. Claimants who waive their right to a party arbitrator can seek damages that are greater than \$200,000. While it has never happened, if claimants were to waive a party arbitrator and Kaiser failed to also do so, claimants could proceed with a party arbitrator.

## Claimant's Request for Waiver of \$150 Arbitration Filing Fee

**Instructions:** If you seek a waiver of the \$150 arbitration filing fee, please complete and sign the following form and return it to the address below. Claimants who have a gross monthly income that is less than 300 percent of the federal poverty guidelines are entitled to have this fee waived. This waiver will not affect your obligation to pay one half of the neutral arbitrator's fees and expenses. The last section of the System Description explains the different methods for obtaining waivers in our system. The form must be sent to the OIA within 75 days of the OIA receiving your demand for arbitration. Return this form to the address below. **This form is confidential – do not serve a copy on Respondents.** The OIA will notify you if you are not eligible for the waiver, in which case you must either pay the \$150 filing fee or obtain a waiver based upon extreme hardship, as described in Rule 13.

Office of the Independent Administrator  
3580 Wilshire Boulevard, Suite 2020  
Los Angeles, California 90010  
Fax: 213-637-8658

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Name of Arbitration \_\_\_\_\_ Arbitration Number \_\_\_\_\_

I declare under oath that my gross monthly income is \_\_\_\_\_. The number of persons living in my household is \_\_\_\_\_.

|                       |      |
|-----------------------|------|
| Signature of Claimant | Date |
| Signature of Claimant | Date |
| Signature of Claimant | Date |
| Signature of Claimant | Date |
| Signature of Claimant | Date |

**INFORMATION SHEET AND INSTRUCTIONS FOR WAIVER OF FILING FEE  
AND FEES AND EXPENSES OF THE NEUTRAL ARBITRATOR**

**Criteria:** If you wish to arbitrate a claim in this system but cannot afford to pay the filing fee or the fees and expenses of the Neutral Arbitrator, you may not have to pay them if you establish:

***EITHER***

1. You are receiving financial assistance under any of the following programs:
  - SSI and SSP (Supplemental Security Income and State Supplemental Payments Programs)
  - CalWORKs (California Work Opportunity and Responsibility to Kids Act, implementing TANF (Temporary Assistance for Needy Families))
  - The Food Stamps Program
  - County Relief, General Relief (G.R.) or General Assistance (G.A.)

If you are claiming eligibility for a waiver of these fees because you receive financial assistance under one or more of these programs, you must produce ***either*** a letter confirming benefits from a public assistance agency ***or*** one of the following documents:

| <b>Program</b>                            | <b>Verification</b>  |
|---|--|
| SSI/SSP                                   | MediCal Card <b><i>or</i></b> Notice of Planned Action <b><i>or</i></b> SS Computer Generated Printout <b><i>or</i></b> "Passport to Services"   |
| CalWORKs/TANF<br>(formerly known as AFDC) | MediCal Card <b><i>or</i></b> Notice of Action <b><i>or</i></b> Income and Eligibility Verification Form <b><i>or</i></b> Monthly Reporting Form <b><i>or</i></b> Electronic Benefit Transfer Card <b><i>or</i></b> "Passport to Services" |
| Food Stamp Program                        | Notice of Action <b><i>or</i></b> Food Stamp ID Card <b><i>or</i></b> "Passport to Services"   |
| General Relief /General Assistance        | Notice of Action <b><i>or</i></b> copy of check stub <b><i>or</i></b> County voucher   |

***OR***

2. Your total gross monthly household income is less than the following amounts:

| <b>Number in Family</b> | <b>Family Income</b> |  | <b>Number in Family</b> | <b>Family Income</b> |  | <b>Number in Family</b> | <b>Family Income</b> |
|-------------------------|----------------------|--|-------------------------|----------------------|--|-------------------------|----------------------|
| One                     | \$ 996.87            |  | Four                    | \$2,015.62           |  | Seven                   | \$3,034.37           |
| Two                     | \$1,336.45           |  | Five                    | \$2,355.20           |  | Eight                   | \$3,373.95           |
| Three                   | \$1,676.04           |  | Six                     | \$2,694.79           |  | Each Add'l Person       | \$ 339.58            |

***OR***

3. Your income is not enough to pay for the common necessities of life for yourself and the people you support and also to pay arbitration fees and costs.

**Instructions:** To apply, fill out the “Request Form for Waiver of Filing Fees and Fees and Expenses of the Neutral Arbitrator” (“Fee Waiver Form”). A copy of the Fee Waiver Form can be obtained by calling the Kaiser Permanente Member Service Call Center at 1-800-464-4000 or the office of the Independent Administrator at 213-637-9847 or [www.oia-kaiserarb.com](http://www.oia-kaiserarb.com).

1. All of the Claimants must fill out a Fee Waiver Form, include copies of the necessary documents, sign it, and return a copy to the Independent Administrator at:

Office of the Independent Administrator  
3580 Wilshire Blvd., Suite 2020  
Los Angeles, CA 90010  
Fax: 213-637-8658

2. If you seek a fee waiver because you are receiving financial assistance, you will need to fill out items 1-3 on the Fee Waiver Form.  
If you seek a fee waiver because of the number of persons in your family and your family’s gross monthly income, you will need to fill out items 1, 2, 4, 6, and 7 on the Fee Waiver Form.  
If you seek a fee waiver because your income is not enough to pay for the common necessities of life and the fees of the arbitration, you will need to fill out items 1-2, and 5-10 on the Fee Waiver Form.
3. When you return a copy of the Fee Waiver Form to the Independent Administrator, also serve a copy on the Respondent(s). Send it to the same address you used to serve your “Demand for Arbitration.” The Independent Administrator, Respondent(s), and counsel shall keep the information provided on the Fee Waiver Form confidential.
4. Health Plan is entitled to file a response to your request for a fee waiver. The Independent Administrator will make a decision about your request for a fee waiver within fifteen days of the date you sent your Fee Waiver Form and notify both you and the Respondent(s).

**Note:** If your request for a fee waiver is denied, you will be required to pay the filing fee or your “Demand for Arbitration” will be deemed abandoned. If you waive your right to a Party Arbitrator, you will not be required to pay the Neutral Arbitrator’s fees and expenses. If your request for a fee waiver is granted, you will be required to pay any attorney’s fees and Party Arbitrator fees.

If you have any questions and cannot afford an attorney, you may wish to consult the legal aid office, legal service office, or lawyer referral service in your county. (These services may be listed in the yellow pages of your telephone book under “Attorneys.”)

## Request Form for Waiver of Filing Fee and Fees and Expenses of Neutral Arbitrator

*All information on this form is kept confidential.*

My Name \_\_\_\_\_

Arbitration Name \_\_\_\_\_

Arbitration Number \_\_\_\_\_ Date \_\_\_\_\_

**I request an order by the Independent Administrator indicating that I do not have to pay the \$150 filing fee or the fees and expenses of the Neutral Arbitrator.**

1. a. My current street or mailing address is: (Please include apartment number, if any, city, and zip code.) \_\_\_\_\_  
\_\_\_\_\_

b. My attorney's name, address and phone number is: \_\_\_\_\_  
\_\_\_\_\_

2. a. My occupation, employer, and employer's address is: \_\_\_\_\_  
\_\_\_\_\_

b. My spouse's occupation, employer, and employer's address is: \_\_\_\_\_  
\_\_\_\_\_

3. I am receiving financial assistance under one or more of the following programs:

\_\_\_\_ **SSI and SSP:** Supplemental Security Income and State Supplemental Payments Programs.

\_\_\_\_ **CalWORKs:** California Work Opportunity and Responsibility to Kids Act, implementing TANF, Temporary Assistance for Need Families, (formerly AFDC.)

\_\_\_\_ **Food Stamps:** The Food Stamps program.

\_\_\_\_ **County Relief:** General Relief (G.R.), or General Assistance (G.A.).

*For each line checked above, attach copies of documents to verify receipt of each benefit (the "Information Sheet and Instructions for Waiver of Filing Fee and Fees and Expenses of the Neutral Arbitrator" explains the acceptable documents), and sign the next page.*

4. \_\_\_\_ My total gross monthly household income is less than the amount shown on the “Information Sheet and Instructions for Waiver of Filing Fee and Fees and Expenses of the Neutral Arbitrator” form.

**Note:** *If you checked line 4 above, skip item 5, complete items 6 and 7, and sign below.*

5. \_\_\_\_ My family income is not enough to pay for the common necessities of life for me and the people in my family, plus also paying for the filing fee and the fees and expenses of the Neutral Arbitrator.

**Note:** *If you checked line 5 above, complete the rest of this form and sign below.*

I declare under penalty of perjury, under the laws of the State of California that the information provided on this form and all attachments are complete, true and correct.

I waive any claim I may have based on Kaiser Foundation Health Plan, Inc., paying the Neutral Arbitrator’s fees.

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| Type or Print Name | Signature | Date |
|--------------------|-----------|------|
|--------------------|-----------|------|

6. \_\_\_\_ My pay changes considerably from month to month.

**Note:** *If you check this line, each of the amounts reported in item 10 should be your average for the past 12 months.*

7. Monthly Income

a. My gross monthly pay is: \$\_\_\_\_\_.

b. My payroll deductions are: (specify purpose and amount.)

- i. \_\_\_\_\_ \$\_\_\_\_\_
- ii. \_\_\_\_\_ \$\_\_\_\_\_
- iii. \_\_\_\_\_ \$\_\_\_\_\_
- iv. \_\_\_\_\_ \$\_\_\_\_\_
- v. \_\_\_\_\_ \$\_\_\_\_\_
- vi. \_\_\_\_\_ \$\_\_\_\_\_

c. My total Net Income is: (a. minus the total of b.) \$\_\_\_\_\_

d. Other money I receive each month is: (indicate source and amount)

- i. \_\_\_\_\_ \$ \_\_\_\_\_
- ii. \_\_\_\_\_ \$ \_\_\_\_\_
- iii. \_\_\_\_\_ \$ \_\_\_\_\_
- iv. \_\_\_\_\_ \$ \_\_\_\_\_

Total of other money received each month is: \$ \_\_\_\_\_

e. My total Monthly Income is: (add c. + d.) \$ \_\_\_\_\_

f. Number of persons living in my home: \_\_\_\_\_

List all the persons living in your home, depending on you for support, or on whom you depend for support:

| Name | Age | Relationship | Gross Monthly Income |
|------|-----|--------------|----------------------|
|      |     |              |                      |
|      |     |              |                      |
|      |     |              |                      |
|      |     |              |                      |
|      |     |              |                      |

Total amount of money earned by all the persons living in your home is: \$ \_\_\_\_\_

g. The Total Gross Monthly Household Income is: \$ \_\_\_\_\_  
(add items a., d., and f. for this total)

8. I own or have an interest in the following:

a. Cash \$ \_\_\_\_\_

b. Checking, savings, and credit union accounts (list the banks):

- i. \_\_\_\_\_ \$ \_\_\_\_\_
- ii \_\_\_\_\_ \$ \_\_\_\_\_
- iii \_\_\_\_\_ \$ \_\_\_\_\_

c. Cars and other vehicles; boats and RVs (make, year, fair market value, and loan balance on each):

| Property | Fair Market Value | Loan balance |
|----------|-------------------|--------------|
| 1.       |                   |              |
| 2.       |                   |              |

d. Real estate (list address, full market value, and loan balance):

| Property | Full Market Value | Loan Balance |
|----------|-------------------|--------------|
| 1.       |                   |              |
| 2.       |                   |              |
| 3.       |                   |              |

e. Other personal property, such as jewelry, furniture, furs, stocks, bonds, etc.:

| Property | Full Market Value | Loan Balance |
|----------|-------------------|--------------|
| 1.       |                   |              |
| 2.       |                   |              |
| 3.       |                   |              |
| 4.       |                   |              |

9. My monthly expenses not already listed in item 7., b. are the following:

- a. Rent or house payment and maintenance \$ \_\_\_\_\_
  - b. Food and household supplies \$ \_\_\_\_\_
  - c. Utilities and telephone \$ \_\_\_\_\_
  - d. Clothing \$ \_\_\_\_\_
  - e. Laundry and cleaning \$ \_\_\_\_\_
  - f. Medical and dental payments \$ \_\_\_\_\_
  - g. Insurance (life, health, accident, etc.) \$ \_\_\_\_\_
  - h. School, child care \$ \_\_\_\_\_
  - i. Child, spousal support (prior marriage) \$ \_\_\_\_\_
  - j. Transportation and auto expenses (insurance, gas, repairs) \$ \_\_\_\_\_
  - k. Monthly installment payments: (indicate purpose & amount)
    - 1. \_\_\_\_\_ \$ \_\_\_\_\_
    - 2. \_\_\_\_\_ \$ \_\_\_\_\_
    - 3. \_\_\_\_\_ \$ \_\_\_\_\_
- Total amount of all monthly installment payments is: \$ \_\_\_\_\_

l. Amount deducted for wage assignments and earning withholding orders:  
\$ \_\_\_\_\_

m. Other expenses (specify):

|    |    |
|----|----|
| 1. | \$ |
| 2. | \$ |
| 3. | \$ |

n. My Total Monthly Expenses are: \$ \_\_\_\_\_  
(add 9.a. through 9.m.)

10. Other facts that support this application:

Describe unusual medical needs, expenses for recent family emergencies, or other unusual circumstances or expenses to help the Independent Administrator understand your budget. (If more space is needed, please add another page and label it "Attachment to Item 10.")

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## Waiver of Objection to Payment of Fees

**Instructions:** Health Plan will only pay Claimant's share of the Neutral Arbitrator's fees and expenses if this form is completed and returned to the Independent Administrator and a copy served on Respondents. **All Claimants and their counsel must sign this form.** If Claimants seek damages of more than \$200,000, they must also sign and return the Waiver of Party Arbitrator Form to be entitled to Health Plan's payment of the Neutral Arbitrator's fees. See Arbitration Rule 15.a. Return this form to

Office of the Independent Administrator  
3580 Wilshire Boulevard, Suite 2020  
Los Angeles, California 90010  
Fax: 213-637-8658

Name of Arbitration \_\_\_\_\_ Arbitration number \_\_\_\_\_

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Normally, the fees and expenses of a Neutral Arbitrator are divided between the Claimants and Respondents. I/We, the Claimant(s) in the arbitration listed above, agree that I/we will waive any or all claims, present or future, I/we may have based on Kaiser Foundation Health Plan' payment of the fees and expenses incurred by the Neutral Arbitrator. In exchange for waiving any such claims and waiving any right to a Party Arbitrator, Kaiser Foundation Health Plan will pay the fees and expenses incurred by the Neutral Arbitrator.

I/We make this decision voluntarily and after the opportunity to discuss the decision with counsel.

\_\_\_\_\_  
Signature of Claimant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Claimant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Claimant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Claimant's Counsel

\_\_\_\_\_  
Date

# **EXHIBIT J**

## **Party and Attorney Evaluations of Neutral Arbitrators**





7. The neutral arbitrator understood the facts of my case.

5 4 3 2 1 N/A  
Agree Disagree

Please comment: \_\_\_\_\_  
\_\_\_\_\_

8. The neutral arbitrator served his/her decision within a reasonable time.

5 4 3 2 1 N/A  
Agree Disagree

Please comment: \_\_\_\_\_  
\_\_\_\_\_

9. The fees billed by the neutral arbitrator were consistent with those described in his/her application materials which I received from the OIA at the beginning of case.

5 4 3 2 1 N/A  
Agree Disagree

Please comment: \_\_\_\_\_  
\_\_\_\_\_

10. The fees charged by the neutral arbitrator were reasonable given the work performed.

5 4 3 2 1 N/A  
Agree Disagree

Please comment: \_\_\_\_\_  
\_\_\_\_\_

11. I would recommend this arbitrator to another person or another lawyer with a case like mine.

5 4 3 2 1 N/A  
Agree Disagree

Please comment: \_\_\_\_\_  
\_\_\_\_\_

# OIA - Party Evaluation / Total Counts

Report Date Range: 1/1/2004 through 12/31/2004

## General Counts

|                         | <u>Sent</u> | <u>Received</u> |                         |
|-------------------------|-------------|-----------------|-------------------------|
| Cnt Evaluations         | 1,360       | 590             | (25 of these are Blank) |
| Cnt of Pro Pers         | 130         | 34              |                         |
| Cnt of Claimant Counsel | 550         | 194             |                         |
| Cnt of Respondents      | 680         | 349             |                         |
| Cnt Anonymous           |             | 13              |                         |

## Counts of Received

### Blanks

|   |    |
|---|----|
| Cnt Blank                                   | 25 |
| Cnt Blank and Settled or<br>Withdrawn Early | 12 |

### By Disposition

|                          |     |                             |    |
|--------------------------|-----|-----------------------------|----|
| Cnt Disp Withdrawn       | 92  | Cnt Disp Hearing Claimant   | 48 |
| Cnt Disp Settled         | 223 | Cnt Disp Hearing Respondent | 85 |
| Cnt Disp Dismissed by NA | 25  | Cnt Disp Hearing            | 3  |
| Cnt Disp MSJ             | 42  | Cnt Disp Other              | 7  |

### By Method Chosen

|            |     |
|------------|-----|
| Cnt JOINT  | 183 |
| Cnt STRIKE | 359 |

# Claimant and Attorney Evaluations of Neutrals; Statistical Summary of 2004 Responses

As of 12/31/04

| Claimant or Respondent?   | Evals Rec'd | Fair Q1 | Respectful Q2 | Timely Q3 | Response Q4 | Explained Q5 | Knew Law Q6 | Knew Facts Q7 | Decision Q8 | Fees Q9 | Fees Q10 | Recommend Q11 | Cnt/Avg |
|---------------------------|-------------|---------|---------------|-----------|-------------|--------------|-------------|---------------|-------------|---------|----------|---------------|---------|
| Unidentified Count        | 13          | 9       | 9             | 8         | 9           | 9            | 9           | 9             | 8           | 9       | 9        | 9             |         |
| Unidentified Average      |             | 4.9     | 4.9           | 4.9       | 4.9         | 4.6          | 4.4         | 4.8           | 4.8         | 4.6     | 4.6      | 4.7           | 4.7     |
| Unidentified Median       |             | 5.0     | 5.0           | 5.0       | 5.0         | 5.0          | 5.0         | 5.0           | 5.0         | 5.0     | 5.0      | 5.0           | 5.0     |
| Unidentified Mode         |             | 5.0     | 5.0           | 5.0       | 5.0         | 5.0          | 5.0         | 5.0           | 5.0         | 5.0     | 5.0      | 5.0           | 5.0     |
| Claimant Attorney Count   | 194         | 177     | 176           | 175       | 174         | 174          | 168         | 165           | 166         | 156     | 154      | 167           |         |
| Claimant Attorney Average |             | 4.3     | 4.7           | 4.3       | 4.8         | 4.5          | 4.4         | 4.3           | 4.7         | 4.9     | 4.8      | 4.2           | 4.5     |
| Claimant Attorney Median  |             | 5.0     | 5.0           | 5.0       | 5.0         | 5.0          | 5.0         | 5.0           | 5.0         | 5.0     | 5.0      | 5.0           | 5.0     |
| Claimant Attorney Mode    |             | 5.0     | 5.0           | 5.0       | 5.0         | 5.0          | 5.0         | 5.0           | 5.0         | 5.0     | 5.0      | 5.0           | 5.0     |
| Pro Per Count             | 34          | 30      | 30            | 30        | 30          | 31           | 29          | 27            | 27          | 25      | 28       | 27            |         |
| Pro Per Average           |             | 3.4     | 4.1           | 4.0       | 4.3         | 4.0          | 3.6         | 3.5           | 4.4         | 4.3     | 4.7      | 3.6           | 4.0     |
| Pro Per Median            |             | 4.0     | 5.0           | 5.0       | 5.0         | 5.0          | 4.0         | 4.0           | 5.0         | 5.0     | 5.0      | 4.0           | 4.6     |
| Pro Per Mode              |             | 5.0     | 5.0           | 5.0       | 5.0         | 5.0          | 5.0         | 5.0           | 5.0         | 5.0     | 5.0      | 5.0           | 5.0     |
| Respondent Count          | 349         | 338     | 337           | 336       | 336         | 335          | 335         | 331           | 335         | 325     | 323      | 333           |         |
| Respondent Average        |             | 4.6     | 4.8           | 4.5       | 4.8         | 4.8          | 4.7         | 4.7           | 4.7         | 4.8     | 4.7      | 4.6           | 4.7     |
| Respondent Median         |             | 5.0     | 5.0           | 5.0       | 5.0         | 5.0          | 5.0         | 5.0           | 5.0         | 5.0     | 5.0      | 5.0           | 5.0     |
| Respondent Mode           |             | 5.0     | 5.0           | 5.0       | 5.0         | 5.0          | 5.0         | 5.0           | 5.0         | 5.0     | 5.0      | 5.0           | 5.0     |
| Total Count               | 590         | 554     | 552           | 549       | 549         | 549          | 541         | 532           | 536         | 515     | 514      | 536           |         |
| Total Average             |             | 4.5     | 4.7           | 4.4       | 4.8         | 4.6          | 4.5         | 4.5           | 4.7         | 4.8     | 4.7      | 4.4           | 4.6     |
| Total Median              |             | 5.0     | 5.0           | 5.0       | 5.0         | 5.0          | 5.0         | 5.0           | 5.0         | 5.0     | 5.0      | 5.0           | 5.0     |
| Total Mode                |             | 5.0     | 5.0           | 5.0       | 5.0         | 5.0          | 5.0         | 5.0           | 5.0         | 5.0     | 5.0      | 5.0           | 5.0     |

# OIA - Party Evaluation / Total Counts

Report Date Range: 1/1/2000 through 12/31/2004

## General Counts

|                         | <u>Sent</u> | <u>Received</u> |                          |
|-------------------------|-------------|-----------------|--------------------------|
| Cnt Evaluations         | 5,828       | 2,656           | (195 of these are Blank) |
| Cnt of Pro Pers         | 715         | 153             |                          |
| Cnt of Claimant Counsel | 2,199       | 805             |                          |
| Cnt of Respondents      | 2,914       | 1,611           |                          |
| Cnt Anonymous           |             | 87              |                          |

## Counts of Received

### Blanks

|   |     |
|---|-----|
| Cnt Blank                                   | 195 |
| Cnt Blank and Settled or<br>Withdrawn Early | 90  |

### By Disposition

|                          |       |                             |     |
|--------------------------|-------|-----------------------------|-----|
| Cnt Disp Withdrawn       | 369   | Cnt Disp Hearing Claimant   | 230 |
| Cnt Disp Settled         | 1,020 | Cnt Disp Hearing Respondent | 364 |
| Cnt Disp Dismissed by NA | 88    | Cnt Disp Hearing            | 12  |
| Cnt Disp MSJ             | 300   | Cnt Disp Other              | 20  |

### By Method Chosen

|            |       |
|------------|-------|
| Cnt JOINT  | 814   |
| Cnt STRIKE | 1,484 |

## Claimant and Attorney Evaluations of Neutrals; Statistical Summary of Total Responses

As of 12/31/04

| Claimant or Respondent?   | Evals Rec'd | Fair Q1 | Respectful Q2 | Timely Q3 | Response Q4 | Explained Q5 | Knew Law Q6 | Knew Facts Q7 | Decision Q8 | Fees Q9 | Fees Q10 | Recommend Q11 | Cnt/Avg |
|---------------------------|-------------|---------|---------------|-----------|-------------|--------------|-------------|---------------|-------------|---------|----------|---------------|---------|
| Unidentified Count        | 87          | 54      | 56            | 55        | 56          | 56           | 54          | 56            | 54          | 54      | 52       | 53            |         |
| Unidentified Average      |             | 4.1     | 4.3           | 4.2       | 4.6         | 4.4          | 4.0         | 4.1           | 4.4         | 4.5     | 4.6      | 4.0           | 4.3     |
| Unidentified Median       |             | 5.0     | 5.0           | 5.0       | 5.0         | 5.0          | 5.0         | 5.0           | 5.0         | 5.0     | 5.0      | 5.0           | 5.0     |
| Unidentified Mode         |             | 5.0     | 5.0           | 5.0       | 5.0         | 5.0          | 5.0         | 5.0           | 5.0         | 5.0     | 5.0      | 5.0           | 5.0     |
| Claimant Attorney Count   | 805         | 716     | 717           | 714       | 711         | 709          | 697         | 677           | 680         | 642     | 640      | 687           |         |
| Claimant Attorney Average |             | 4.2     | 4.6           | 4.4       | 4.7         | 4.5          | 4.4         | 4.3           | 4.6         | 4.7     | 4.5      | 4.2           | 4.5     |
| Claimant Attorney Median  |             | 5.0     | 5.0           | 5.0       | 5.0         | 5.0          | 5.0         | 5.0           | 5.0         | 5.0     | 5.0      | 5.0           | 5.0     |
| Claimant Attorney Mode    |             | 5.0     | 5.0           | 5.0       | 5.0         | 5.0          | 5.0         | 5.0           | 5.0         | 5.0     | 5.0      | 5.0           | 5.0     |
| Pro Per Count             | 153         | 139     | 138           | 138       | 139         | 139          | 130         | 129           | 129         | 114     | 113      | 119           |         |
| Pro Per Average           |             | 3.2     | 3.9           | 3.9       | 4.2         | 3.9          | 3.7         | 3.5           | 4.0         | 4.2     | 3.8      | 3.4           | 3.8     |
| Pro Per Median            |             | 4.0     | 5.0           | 5.0       | 5.0         | 5.0          | 5.0         | 4.0           | 5.0         | 5.0     | 5.0      | 5.0           | 4.8     |
| Pro Per Mode              |             | 5.0     | 5.0           | 5.0       | 5.0         | 5.0          | 5.0         | 5.0           | 5.0         | 5.0     | 5.0      | 5.0           | 5.0     |
| Respondent Count          | 1611        | 1528    | 1518          | 1514      | 1513        | 1511         | 1509        | 1495          | 1501        | 1455    | 1448     | 1479          |         |
| Respondent Average        |             | 4.5     | 4.6           | 4.3       | 4.8         | 4.7          | 4.7         | 4.6           | 4.7         | 4.8     | 4.7      | 4.6           | 4.6     |
| Respondent Median         |             | 5.0     | 5.0           | 5.0       | 5.0         | 5.0          | 5.0         | 5.0           | 5.0         | 5.0     | 5.0      | 5.0           | 5.0     |
| Respondent Mode           |             | 5.0     | 5.0           | 5.0       | 5.0         | 5.0          | 5.0         | 5.0           | 5.0         | 5.0     | 5.0      | 5.0           | 5.0     |
| Total Count               | 2656        | 2437    | 2429          | 2421      | 2419        | 2415         | 2390        | 2357          | 2364        | 2265    | 2253     | 2338          |         |
| Total Average             |             | 4.3     | 4.6           | 4.3       | 4.7         | 4.6          | 4.5         | 4.5           | 4.6         | 4.7     | 4.6      | 4.4           | 4.5     |
| Total Median              |             | 5.0     | 5.0           | 5.0       | 5.0         | 5.0          | 5.0         | 5.0           | 5.0         | 5.0     | 5.0      | 5.0           | 5.0     |
| Total Mode                |             | 5.0     | 5.0           | 5.0       | 5.0         | 5.0          | 5.0         | 5.0           | 5.0         | 5.0     | 5.0      | 5.0           | 5.0     |