



**ADDENDUM FOR WEINBERGER CLASS MEMBERS WHO WERE NOT PART OF AETNA'S 2003 NATIONAL PHYSICIAN CLASS ACTION SETTLEMENT**

Separate from this *Weinberger* Settlement, in 2003, Aetna entered into a national physician class action settlement in *Shane v. Humana, Inc.*, MDL 1334 (S.D. Fla.). The *Shane* settlement provided for millions of dollars in settlement payments by Aetna and other agreed-upon benefits to physicians throughout the United States, as well as a broad release and covenant not to sue barring certain claims by physicians against Aetna arising on or before June 2, 2007.

Most physicians who are eligible to receive benefits under this *Weinberger* Settlement also are *Shane* settlement class members. The *Shane* settlement class covers:

[A]ny and all Physicians, Physicians Groups and Physician Organizations who provided covered services to any individual enrolled in or covered by a plan offered or administered by Aetna, Old Aetna, any other entity named as a defendant in the complaint in the Action, or by any of the current or former subsidiaries or affiliates of any of the foregoing, from August 4, 1990 through and including the date of entry of this Order [June 2, 2003].

Most *Weinberger* Settlement Class Members therefore are bound by the release and covenant not to sue contained in Aetna's 2003 *Shane* settlement. However, for any *Weinberger* Settlement Class Members who are not *Shane* settlement class members—either because they opted out of the *Shane* settlement in 2003 or because they did not submit a claim to Aetna between August 4, 1990 and June 2, 2003—Aetna has established a supplemental claims re-submission procedure through the *Weinberger* Settlement.

For these physicians only, the supplemental re-submission process is available for claims for Emergency Services and Care that originally were adjudicated by Aetna between June 3, 2003 and June 2, 2007. To re-submit Emergency Services and Care claims through this process, you must certify as follows, in addition to the certification on the Proof of Claim form above.

- I am not a *Shane* Settlement Class Member, because (you must check one):
  - I opted out of the *Shane* Settlement in 2003 or
  - I did not provide any covered services to any Aetna members from August 4, 1990 to June 2, 2003.
- I am attaching a copy of valid Supporting Documentation for claims for Emergency Services and Care rendered to Aetna HMO Plan Members that originally were paid by Aetna between June 3, 2003 and June 2, 2007 and that qualify for re-submission under the *Weinberger* Settlement Agreement (please check if true and attach all Supporting Documentation, as defined below); and
- The information supplied by me in this Proof of Claim is true and accurate and executed under the pains and penalties of perjury.

PRINT NAME: \_\_\_\_\_

SIGNATURE

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MM		DD		YEAR					

"Supporting Documentation" shall mean (i) copies or reprints of a CMS 1500, UB 92, or equivalent electronic submission originally submitted to Aetna; (ii) copies of explanation of benefits forms for claims originally submitted to Aetna; or (iii) a completed copy of a spreadsheet reflecting the following information for each claim for which reimbursement is sought: the individual Class Member's name, the group or facility name (if any), the Class Member's tax identification number, the patient's first and last names, the patient's member identification number, the date of service, the billed charge for the Emergency Services and Care, and the billed charge for the entire original claim submission.