



# QSF360 WHITEPAPER

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## What Is QSF360?

QSF360™ is a complete, online qualified settlement fund service provided by Eastern Point Trust Company. With QSF360, your firm can establish a QSF, pursuant to §468B, in just 2 business days. Better yet, it only takes your firm 15 minutes, or less, to design the QSF online.

Once established, Eastern Point Trust Company oversees all trust administration, cash management, investments, tax preparation, filing and payments, disbursement processing (from disbursements into your IOLTA to Claimant disbursement, if you choose), and even trust closing. There is no need for you to draft documents, file petitions or go to court. No advanced experience is needed to design the QSF, which means that your firm's paralegal or administrative personnel may use the system on your firm's behalf.

In short, QSF360 is qualified settlement funds made easy.

## Patented Technology.

### TRUSTWARE

The QSF360 creation process, which takes your firm only 15 minutes or less, is driven by TrustWare – Eastern Point's patented trust creation technology has been trusted by over 20,000 users from across the world to design trusts of all sizes and complexities. By leveraging this patented technology, QSF360 is the fastest and most cost efficient service in the industry (*see Pricing and Fees*).

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## ONLINE PLATFORM

All of your firm's qualified settlement funds are neatly and seamlessly organized in your dashboard. In one place, your firm can access to court approvals, trust documents, and administrative resources for each QSF. Its user friendly design makes it easy to quickly access documents and create new QSFs. Users have 24/7

online access to all account data including position and transaction data. This online access allows for claimants to have real-time access to all of the trust records, including but not limited to balances, positions, statements and all transactions.

Online access may be combined to allow access to multiple trusts with a single login if appropriate. This option allows your firm with a single log-in to see each claimants sub-account, the balance, and all transactions.

## Our Experience.

### WHAT WE DO

Eastern Point Trust Company is a non-depository, multi-state trust company and custodian with over three decades of trust experience. EPTC and related subsidiaries are licensed in multiple states to provide trust, and trust-related, services; as well as securities operations being subject to FINRA and SEC supervision audit and regulation.

### FIDUCIARY EXPERTISE

EPTC's staff is comprised of internationally recognized fiduciary and trust experts that Federal and State courts regularly rely upon related to

expert testimony, trust construction, administration, and fiduciary matters. As a recognized international leader in the trust industry, EPTC was the only U.S. firm selected by the government of Japan to assist in creating a revised Japanese Trust code.

Our diverse fiduciary expertise and experience consist of:

- ◆ Qualified Settlement Fund administration (QSF360)
- ◆ Custodial Account, Settlement Trust, and Corporate Escrow Account Services,
- ◆ Rabbi & Restricted Trust administration and trustee services
- ◆ Guardianship and Custodial Trust administration and trustee services
- ◆ Pooled, First Party and Third Party Special Needs Trust administration and trustee services
- ◆ Coogan Trust administration and trustee services
- ◆ Institutional Corporate Trust administration and trustee services
- ◆ Court Ordered Trust administration and trustee services

For 30 years, the commitment to our company values have helped create services that focuses on our client success first – which is a main reason why our extensive institutional experience continues to grow today. Eastern Point Trust has become the fastest growing trust company in the United States through the administration of trusts related to some of the most recognized cases in recent history.

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**A GLOBAL LEADER IN QUALIFIED SETTLEMENT FUNDS**

Our wealth of qualified settlement fund experience extends to:

- ◆ Portions of MDL No. 2179 | In Re: Oil Spill by the Oil Rig “Deepwater Horizon” (United States District Court, Eastern District of Louisiana)
- ◆ Portions of MDL No. 2299 | In Re: Actos (Pioglitazone) Products Liability Litigation (United States District Court, Western District of Louisiana)
- ◆ Portions of MDL No. 2272 | In Re: Zimmer Nexgen Knee Implant Products Liability Litigation (United States District Court, Northern District of Illinois)
- ◆ Portions of MDL No. 1964 | In Re: NuvaRing Products Liability Litigation (United States District Court, Eastern District of Missouri)
- ◆ Portions of MDL No. 875 | In Re: Asbestos Products Liability Litigation (No. VI) (United States District Court, Eastern District of Pennsylvania)
- ◆ Portions of MDL No. 2693 | In Re: Vizio, Inc., Consumer Privacy Litigation (United States District Court, Central District of California)
- ◆ Portions of MDL No. 1507 | In Re: Prempro Products Liability Litigation (United States District Court, Eastern District of Arkansas)
- ◆ Portions of MDL No. 2385 | In Re: Pradaxa (Dabigatran Etexilate) Products Liability Litigation (United States District Court, Southern District of Illinois)
- ◆ Portions of MDL No. 2325 | In Re: American Medical Systems, Inc., Pelvic Repair System Products Liability Litigation (United States District Court, Southern District of West Virginia)

- ◆ Portions of MDL No. 2197 | In Re: DePuy Orthopaedics, Inc., ASR Hip Implant Products Liability Litigation (United States District Court, Northern District of Ohio)
- ◆ Portions of MDL No. 1871 | In Re: Avandia Marketing, Sales Practices and Products Liability Litigation (United States District Court, Eastern District of Pennsylvania)

award from diluting their current and future government benefits. These include providing access and coordination with:

“Eastern Point provides an integrated Special Needs Trust platform that provides the valuable and necessary protection of the claimants’ award from diluting their current and future government benefits.”

- ◆ Special Needs National Pooled Trust
- ◆ MSA National Pooled Trust
- ◆ Individual (d)(4)(a) Special Needs Trusts
- ◆ Individual Settlement Asset Management Trusts (with MSA provisions, as needed)

**COMPLIANT AND RISK AVERSE**

**The EPTC Advantage**

**GOVERNMENT REGULATED**

Eastern Point provides the safety and security that comes from utilizing a licensed and regulated institutional trust company. Unlike providers who operate under no ongoing government agency supervision or audit, Eastern Point Trust Company provides the peace of mind that only comes from having a nationwide trust company as the regulated fiduciary.

**SINGLE & MULTI CLAIMANT OPTIONS**

Eastern Point provides support for both single-claimant and multi-claimant Qualified Settlement Funds pursuant to Regs. § 1.468-1(c)(2).

**SPECIAL NEEDS TRUST SERVICES**

Only Eastern Point provides an integrated Special Needs Trust platform that provides the valuable and necessary protection of the claimants’

With our independent internal and external compliance audit processes, Eastern Point provides an unmatched level of compliance and risk avoidance ensuring adherence to all applicable court, state and federal requirements as well as asset safekeeping.

Eastern Point is one of the only financial service firms in the country to have a perfect compliance record since its historical inception in 1986. With a robust system of checks and balances, along with independent internal and external compliance audit processes, Eastern Point provides an unmatched level of compliance and risk avoidance that ensures adherence to all relevant court, state and federal requirements (including Dodd-Frank and Bank Secrecy Act), as well as asset safekeeping. Eastern Point’s securities trading and holding activities are audited and regulated subject to the Financial Industry Regulatory Authority (FINRA), the Securities and Exchange Commission (SEC), and state security regulators – which provides our clients with the assurance of continual oversight that most other trustees do not offer.

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## **BENEFITS OF AN INDEPENDENT TRUST COMPANY**

Eastern Point is an independent multi-state, non-depository trust company and offers no competing settlement, legal or insurance products.

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## **AVAILABLE NATIONWIDE**

QSF360 is available nationwide across all 50 states and U.S. territories.

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## **LEVERAGE YOUR QSF DURING NEGOTIATIONS**

QSF360 also provides your firm the ability to leverage your negotiations by creating a QSF before filing the case and making the QSF a party to the matter – or create the QSF during or post settlement negotiations. Finally, with QSF360, qualified settlement funds can be used to your firm’s advantage instead of being part of a time consuming and cumbersome process.

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## **EFFICIENT DISTRIBUTION PROCESS**

EPTC’s patented technology allows it to provide the fastest distribution processing in the industry. Wire requests received by 12pm (noon) Eastern Standard Time are approved and wired the same business day. Upon demand individual claimant distribution processing is also available, which includes a cover letter, a 3-part check, and 1099 reporting.

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## **FINANCIAL INTEGRITY**

Eastern Point provides support to trusts of all sizes and maintains standing money market and investment facilities with some of the country’s

biggest and most respected sub-custodians, banks, and financial institution networks with the ability to accommodate QSFs up to \$10 billion. However, expanded cash, investment, and deposit facilities are available upon demand for larger requirements.

In addition to regulated net capital requirements and a clean balance sheet with no liabilities, Eastern Point maintains per event, per client primary, and umbrella coverages for liability, theft or missing funds, E&O and cybercrime protection. SPIC and the FDIC also insure accounts, as the case may be.

Additionally, as a non-depository trust company, the risk of theft and misuse of funds is inherently lower as all assets are held directly by the respective fund company or custodian bank and verified by the individual custodian daily. This structure eliminates:

Any and all client risk from erosion of EPTC’s financial condition or discounting business, and direct theft loss risk as EPTC holds no funds as a deposit or comingles client assets with EPTC assets.

As a non-depository trust company, all client assets are in segregated custody client asset accounts, and thus client assets are not at risk should EPTC cease operations. Further, client assets are protected by statute from claims of EPTC creditors.

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## **LIEN RESOLUTION**

EPTC's is pleased to work with any lien resolution firm. We have a standing working relationship with Synergy Lien Resolution Services, offering on-demand lien resolution abilities.

## Cash Accounts and Investment Options

The default investment for all QSF360 accounts is "cash" held in an FDIC-insured bank accounts (FDIC limits apply) Also, Eastern Point

provides over 6,000 name brand mutual funds and 1,000 ETFs as alternative QSF investment options. All trades are commission free. EPTC's model portfolios of brand name funds have outperformed the S&P with less than ½ the risk of the S&P; this means greater return with lower risk. The model portfolios are available at no additional charge.

**To learn more, contact us for a free consultation.**

**Call:** 540-347-4470 X 204

**Email:** [glenarmand@easternpointtrust.com](mailto:glenarmand@easternpointtrust.com)

## Pricing and Fees

### CREATION AND ADMINISTRATION

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QSF ( $\leq$ \$250,000)		QSF ( $>$ \$250,000)	
One-Time Creation Fee	\$360 per QSF	One-Time Creation Fee	\$750 per QSF
Trustee and Administration Fee	\$250 per annum	Trustee and Administration Fee	\$650 per annum

(Until fees are eliminated - money market interest credited to the QSF will be applied to offset fees)

### TAX PREPARATION AND FILING

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Tax Filing	\$150 per return
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(468B requires an 1120-SF tax return to be filed each year a QSF exists regardless of funding status)

### DISTRIBUTION PROCESSING

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#### STANDARD DISTRIBUTIONS

Distribution into Firm IOLTA	\$50 per payment
Distribution to Firm	\$50 per payment
Special Needs Trust, Lien and Loan Payments	\$50 per payment
Structured Settlement Payments	\$100 per payment

#### OPTIONAL DIRECT CLAIMANT DISTRIBUTION(S)

Claimant Setup and First Distribution Check	\$39 per claimant
(Includes claimant set up, first distribution check and 1099)	
Each Additional Distribution After Claimant's Initial Check	\$10 per additional check

### OUT OF POCKET FEES

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Wires fees, postage, overnight and extraordinary fees are billed as incurred.