

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ARTHUR RAY BOWLING, ET AL.,	:	
PLAINTIFF,	:	No. C-1-91-256
v.	:	
PFIZER, INC. ET AL.,	:	JUDGE HERMAN J. WEBER, SENIOR JUDGE
DEFENDANT.	:	

**NOTICE OF FILING OF THE TWENTY-NINTH REPORT OF THE
SPECIAL MASTERS/TRUSTEES COVERING THE PERIOD
FROM APRIL 2, 2008 TO OCTOBER 8, 2008**

NOTICE IS HEREBY GIVEN to all counsel of record that the TWENTY-NINTH REPORT OF THE SPECIAL MASTERS/TRUSTEES COVERING THE PERIOD FROM APRIL 2, 2008 TO OCTOBER 8, 2008 is hereby filed with the Court.

Respectfully submitted,

/s/ Nancy A. Lawson
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

IN RE: : Case No. C-1-91-256
: :
BOWLING-PFIZER LITIGATION : Judge Herman J. Weber,
: Senior Judge

**TWENTY-NINTH REPORT OF THE SPECIAL MASTERS/TRUSTEES
COVERING THE PERIOD FROM APRIL 2, 2008 TO OCTOBER 8, 2008**

SPECIAL MASTERS/TRUSTEES

**James A. Higgins, Esq.
Peter J. Strauss, Esq.**

AGENDA

TWENTY-NINTH REPORT OF THE SPECIAL MASTERS/TRUSTEES

In Re: Bowling-Pfizer Litigation

Case No. C-1-91-256

October 23, 2008
11:00 A.M.

Hon. Herman J. Weber, Senior Judge

1. Introductory remarks by Judge Weber.
2. Report of the Special Masters/Trustees.
3. Comments from Counsel:
 - Class Counsel.
 - Counsel for Defendants.
4. Questions and comments from those in attendance.
5. Request for date of next report of Trustees.
6. Closing remarks of Judge Weber.

TABLE OF CONTENTS

- A. Twenty-Ninth Report of the Special Masters/Trustees
- B. Appendices to Court Report
 - 1. Index of Intellectual Property
 - 2. Summary of Research
 - 3. "Hit Report" regarding the Supervisory Panel's Website.
 - 4. Unaudited balance sheet as of August 31, 2008 and an unaudited statement of income and funds balance for the eight months ended August 31, 2008.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

IN RE: : **Case No. C-1-91-256**
BOWLING-PFIZER LITIGATION : **Judge Herman J. Weber,**
 : **Senior Judge**

TWENTY-NINTH REPORT OF THE SPECIAL MASTERS/TRUSTEES

To the Honorable Herman J. Weber, Senior Judge, United States District Court:

Your Special Masters/Trustees respectfully present their twenty-ninth periodic report, covering activities from April 2, 2008 to October 8, 2008. This report is submitted fifteen days prior to the status hearing before the Court scheduled for October 23, 2008.

I. PATIENT BENEFIT FUND

A. Supervisory Panel. The patient studies with the ACES device at The Ohio State University have been concluded and a final report was received in May, 2007. The imaging and acoustics committee was favorably impressed with the ACES work and made a recommendation to the full panel for continued studies. The panel considered the results of the ACES work and agreed that there was sufficient promise in the technology to pursue additional work. Therefore, a research project for ACES to study the BSCC heart valve sound recordings made on patients who participated in the imaging studies at Stanford and Beaumont was recommended by the panel and approved by the Court. That study is ongoing. The panel has recommended the approval of a short-term study by Dr. J. de Hart of Eindhoven University in The Netherlands entitled "Outlet strut vibratory response study of BSCC valves at disc-strut closure impact". The

purpose of the study is to conduct in vitro research on seven BSAC heart valves, including the valve which had been implanted in a sheep at BioSurg, but was misclassified.

With regard to BioQuantetics, the panel has been unsuccessful in obtaining a report on the clinical trials from Dr. Rambod. The trials were done without the sponsorship or funding of the Trustees. The Trustees have been advised by Dr. Rambod, however, that no device employing the technology funded by the Trust has been developed.

The panel has been working with MedicAlert in an effort to develop a program in which MedicAlert expands its services to other countries. The Supervisory Panel has recently received a proposal from MedicAlert to provide emergency alert services to class members in Europe. The Panel will work with MedicAlert to determine if this is a feasible project.

At the hearing with the Court on April 30, 2008, the Court requested an analysis of the Bowling Pfizer contracts to determine if there is potential for any of the contracts to provide funds into the Trust for the benefit of the Class. Counsel for the Trustees has analyzed the contracts to determine whether there is any intellectual property which could be used to generate funds for the Class. Attached as Appendix 1 to this report is a chart listing the Trustees' inventory of intellectual property. Exhibit A to the chart lists the two research projects for which a patent application may be filed in the future. The first is BioQuantetics which will pay royalties to the trust if BioQuantetics derives income from commercialization of the technology resulting from the research funded by the Trust as the Trust licensed the technology to BioQuantetics. To date, no product has been commercialized and no income has been generated as a result of any product commercialization. The second research project for which a patent application may be filed is the ACES research. All rights are reserved to the Trust and it is not known at this time whether a device will be developed which could be commercialized and could

generate funds for the Trust. Exhibit B to Appendix 1 is a list of the research projects sponsored by the Trust for which patent applications will not be filed.

At the April 30, 2008 hearing with the Court, the Court also requested that the Trustees investigate the ramifications of indemnification by the Trust of the parties who are not otherwise protected by insurance in the event that the trust funds dwindle to the extent that indemnification is meaningless. The Trustees have analyzed this issue and determined that commercial insurance should be investigated. Therefore, the Trustees have submitted applications for such insurance from the Chubb Group of Insurance Companies and to Roy Kuhnell, an independent insurance broker at Dempsey & Siders Agency, Inc., in Cincinnati. No quotations for insurance have been received to date, but when they are, the Trustees will report to the Court. The insurance, if obtained would cover the members of the Supervisory Panel, the Trustees, the Administrator, and the three employees in the Bowling office.

B. Guidelines. Drs. Harrison, Ibrahim and Ivey regularly monitor the pertinent world-wide literature and review reported events occurring to class members to ensure that any issues which may impact the guidelines are detected and considered by the full panel.

C. Research. Our report on the status of the research program of the Supervisory Panel is set out in the attached Appendix 2.

D. Imaging. Since the imaging program at Penn State resumed again, effective April 26, 2005, there have been eleven imaging sessions for seven implantees who may qualify for valve replacement surgery. One implantee was imaged three times and two implantees were imaged two times during this period.

E. Repository. The Supervisory Panel maintains a repository of certain documents and information concerning the BSCC heart valve. The repository contains reports on the results of research sponsored by the Supervisory Panel, minutes of meetings of the Supervisory Panel, a

bibliography of published literature regarding the BSCC heart valves, certain unpublished reports prepared by Dr. Ron Brookmeyer of his statistical analysis, the Bowling Settlement Agreement, and other information. The repository is available electronically in a database. Some of the information, such as published articles are not available for review due to copyright and other intellectual property concerns. To access the on-line repository, an individual need only contact the Trustees' office for the website address and a password.

F. Website. The Supervisory Panel's website continues to be found at www.bowling-pfizer.com. It provides basic information on the parties involved (biographies, addresses, telephone numbers, email, etc.), certain orders of the Court including the Guidelines, the Settlement Agreement, Trustee Reports and a bibliography of relevant articles as well as other important information. The panel prepared a summary of key studies which is intended to provide a more user-friendly bibliography. This user-friendly bibliography is available on the website. A copy of the most recent "hit report" of the Supervisory Panel's website is attached to this Report as Appendix 3.

G. Valve Replacement Surgery Claims and Fracture Claims.

The Claims Administrator continues to receive and process claims for valve replacement surgery and outlet strut fracture. Some of the claimants have elected other courses of action rather than to receive the Settlement benefits.

From the beginning there have been 98 (74 foreign) qualified outlet strut fracture claims and 99 (39 foreign) qualified valve replacement surgery claims other than single leg fracture claims. In addition, there have been 39 (16 foreign) single leg fracture claims.

The office of the Claims Administrator continues to fulfill requests to calculate estimated annual fracture rates under the 2007 Guidelines and to respond to other inquiries from and on behalf of Class Members.

III. FINANCIAL INFORMATION

At August 31, 2008, the total balance of cash and cash equivalents was \$22,259,241.

Attached as Appendix 4 are the following: an unaudited balance sheet as of August 31, 2008 and an unaudited statement of income and funds balance for the eight months ended August 31, 2008 (which includes the budgeted amounts for expenses for the administrative office for the period January 1, 2008 through December 31, 2008).

IV. COMMUNICATIONS

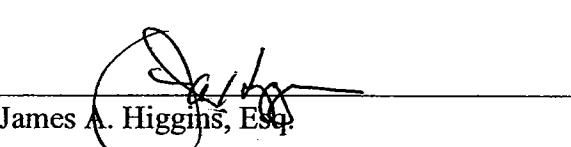
Communications remain open, whether with physicians, Class Members, other BSCC heart valve implantees, Class Counsel, Special Counsel, Defendant's Counsel, or Counsel for Public Citizen.

V. APPROVALS

Your honor, the Special Masters/Trustees request that the Court:

- Approve this Report, and
- Approve, or provide guidance with respect to, each of the Appendices to this Report, and
- Provide guidance with respect to any duty of the Special Masters/Trustees, and
- Fix the date for the next Report.

Respectfully submitted,


James A. Higgins, Esq.


Peter J. Strauss, Esq.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this Twenty-Ninth Report of the Special Master/Trustee Covering Period from April 3, 2008 to October 8, 2008, has been electronically sent to the following this 8th day of October, 2008.

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APPENDIX

1

EXHIBIT A
CURRENT AND PROSPECTIVE TECHNOLOGY AND
INTELLECTUAL PROPERTY RIGHTS OF CLASS FOR WHICH
PATENT APPLICATIONS MAY BE FILED.

Institution	Date	Description of Project	Ownership
1. BioQuantetics, Inc.	May, 2000 through September, 2006	Development of ultrasound related techniques and devices for the detection of single leg separation in BSSC heart valves.	Licensed to BioQuantetics. Royalties to be paid by BioQuantetics if BioQuantetics derives income from commercialization of the technology resulting from research funded by the Trust. To date, no product has been commercialized and no income has been generated as a result of any product commercialization.
2. ACES	January, 2006 - present	Passive acoustic detection of implanted BSSC heart valves in sheep and patients.	All rights retained.

EXHIBIT B
RESEARCH PROJECTS SPONSORED BY THE
BOWLING-PFIZER TRUSTEES FOR WHICH PATENT
APPLICATIONS WILL NOT BE FILED

Institution	Date	Description of Project	Ownership
1. Stichting BSCC-Hartkleppen Onderzoek Nederland and University of Utrecht, Julius Center for Patient Oriented Research	March, 1995 through December, 2005	Continuation of Dutch Follow-up Study. This project was originally sponsored by Shiley Incorporated and was assumed by the Trustees. Purpose is to provide more precise information regarding the hazards of strut fracture over a long period of time and better define subgroups of BSCC patients who are at higher risk of outlet strut fracture	No IP provision in Agreement
2A. BioSurg, Inc.	June, 1995 through December, 1996	Maintenance of flock of sheep originally maintained for Shiley Incorporated.	
2B. BioSurg, Inc.	October 2005 to September 2006	Implantation of BSCC heart valve in living sheep; support of in vivo testing of sheep by the other panel sponsored researchers, maintenance and euthanasia of sheep.	
3. Royal Post Graduate Medical School and RPMS Technology Limited and in December 2001 I.C. Consultants Limited, Acting on behalf of Imperial College School of Science, Technology and Medicine	July, 1995 through December, 2003	UK cohort study. Continued monitoring of the BSCC heart valve population in the UK.	Rights retained to new IP. Trustees agreed no interest in background IP.
4. The Board of Trustees of the Leland Stanford Junior University and Stephen N. Oesterle, M.D.	November, 1995 through December, 1996	Continuance of imaging program originally sponsored by Shiley Incorporated.	Stanford retained IP rights. Trustees retained exclusive license to use technology.

5.	West Glasgow Hospitals University NHS Trust	November, 1995 through December 31, 1996	Continuance of imaging program originally sponsored by Shiley Incorporated.	All rights retained.
6.	William Beaumont Hospital	November, 1995 through December 31, 1996	Continuance of imaging program originally sponsored by Shiley Incorporated.	All rights retained.
7.	Structural Acoustics, Inc.	November, 1995 through February, 1996	Verify and test SAI algorithm to classify BSSCC valves as intact or SLS from acoustic signatures.	SAI retained IP rights. Trustees retained exclusive license with right to sub-license.
8.	Cinema Research Corporation	November, 1995 through December 31, 1996	Reproduction of cine film.	No IP provision in Agreement.
9.	Tracor Applied Sciences, Inc.	November, 1995 through December 31, 1996	Data quality assurance testing on acoustic data obtained at Stanford, Aachen, and Glasgow Imaging sites. Maintenance and acoustic support for phonocardiographic data acquisition systems at Stanford, Aachen, and Glasgow imaging sites.	All rights retained.
10.	Medical Data Research Center of the Providence Health System	January, 1996 through April, 1996	Literature analysis of reoperative risk focusing on 90 day and one year morbidity and mortality outcome. Analysis of Shiley Heart Valve Research Center database to determine projected occurrence of actual OSF over time.	All rights retained.
11.	The Pennsylvania State University and The Milton S. Hershey Medical Center	May, 1996 through May, 1997	To determine the feasibility of detecting single leg separation in BSSCC heart valves by radiographic imaging through use of static water bath and a working phantom.	All rights retained.
12.	The United States Department of Energy (Lawrence Livermore National Laboratory)	July, 1996 through November, 1996	Process blinded BSSCC heart valve acoustic recordings. Design, assemble and operate instrumentation to acquire and analyze anechoic acoustic data from a matrix of BSSCC heart valves.	Retained right to elect to retain rights. Trustees granted U.S. Government a non-exclusive license to practice process worldwide.

13.	William Beaumont Hospital	July, 1998 through July, 2000	Epidemiologic follow-up study of patients who previously participated in imaging study at William Beaumont Hospital.	No IP provision in Agreement.
14.	West Glasgow Hospitals University NHS Trust	August, 1998 through August, 2000	Epidemiologic follow-up study of patients who previously participated in imaging study at Western Infirmary Glasgow	No IP provision in Agreement.
15.	Health Data Research, Inc.	November, 1998 through April, 2000	Assessment of the risks and outcomes of patients undergoing heart valve re-placement. To determine the morality and morbidity outcomes of patients requiring re-operation due to heart valve complications. To test (validate) the accuracy of the Piehler model on a data set	All rights retained.
16.	The Board of Trustees of the Leland Stanford Junior University and Stephen N. Oesterle, M.D.	December, 1998 through December, 2000	Epidemiologic follow-up study of patients who previously participated in imaging study at Stanford University Hospital.	No IP provision in Agreement.
17.	The Board of Trustees of the Leland Stanford Junior University and Stephen N. Oesterle, M.D.	December, 1998 through December, 1999	X-Ray imaging study of BSCC patients.	Stanford retained IP rights. Trustees retained exclusive license with right to sub-license.

18.	California Institute of Technology	May, 1999 through November, 1999	To apply state-of-the-art, high frame rate, parallel processing digital color Doppler ultrasound system measurements in-vitro, to differentiate the actively excited resonance frequencies by the single-leg-separation valve from that of an intact outlet strut valve.	CIT retained IP rights. Trustees retained exclusive license with right to sub-license.
19.	Edison Welding Institute	May, 1999 through February, 2000	To study welding process variables to identify the variables that have the most significant effect on joint integrity; conduct a failure analysis of the welded joints of the BSCC heart valve; use computer modeling of residual stress to determine the stress state in the as-welded condition prior to implantation and during operation; and, evaluate the aspects of the weld design that may contribute to failures in BSCC heart valves.	All rights retained.
20.	University of Cincinnati on Behalf of Institute for Health Policy and Health Services Research	June, 1999 through June, 2000	To evaluate the quality and comprehensiveness of the research conducted regarding the failure of the BSCC heart valve and to develop recommendations regarding the use of such research and areas for future research which may be beneficial to class members.	UC retained IP rights. Trustees retained exclusive license with right to sub-license.
21.	Battelle Memorial Institute, Commercial Business Operations	July, 1999 through December, 1999	Review of research projects previously completed by Shiley, Pfizer or the Trustees and make recommendations about future research projects.	Battelle retained IP rights. Trustees retained exclusive license with right to sub-license.
22.	University of Utrecht, Julius Center for Patient Oriented Research	July, 1999 through July, 2001	MRI brain scan used as indicator of valve failure and whether paramagnetic defects are associated with cognitive disturbances.	All rights retained.

23.	Vanderbilt University	July, 1999 through July, 2000	To determine the feasibility of two noninvasive electromagnetic approaches and three electromagnetic or acoustic invasive techniques to the detection of single leg separation.	Vanderbilt retained IP rights. Trustees retained exclusive license with right to sub-license.
24.	The Pennsylvania State University and The Milton S. Hershey Medical Center	May, 2000 through present	Imaging program to determine whether single leg separation can be detected using radiographic imaging techniques.	All rights retained.
25.	Imperial College School of Medicine at Hammersmith Hospital	November, 2000 through March, 2003	Examine the influence of multiple hook deflection tests and other characteristics of the manufacturing process on the risk of outlet strut fracture among 60 degree BSSCC heart valves.	All rights retained.
26.	Karolinska Institute	April, 2001 through May, 2003	Follow-up cohort study of BSSCC patients in Denmark, Finland, Norway, Sweden and Poland.	All rights retained.
27.	MedicAlert Foundation	October, 2001 through October, 2002	Updating of the MedicAlert cohort study of BSSCC patients in the United States to assess whether risk of fracture and death changed over time	All rights retained.
28.	University of Sheffield	December, 2001 through June, 2003	Prediction of closure forces on 60 degree BSSCC heart valves. Assist with the quantification of risk for existing 60 degree valves	All rights retained.
29.	Jeffrey Crompton and Bahram Farahbakhsh	April, 2002 through July, 2002	Detection of outlet strut fracture in BSSCC heart valves using passive acoustics	All rights retained.
30.	Duke University Medical Center	May, 2002 through November, 2003	Compare morbidity and mortality of redo mitral operation using port access versus standard right thoracotomy versus sternotomy	Duke retained IP rights. Trustees retained exclusive license with right to sub-license.

31.	University of Utrecht, Julius Center for Patient Oriented Research	June, 2002 through June, 2004	Association between manufacturing characteristics and metallurgy. To determine any relationship between manufacturing characteristics and defects other than outlet strut fracture, such as single leg fractures, cracks and other micro defects.	All rights retained.
32.	University of Alabama at Birmingham	July, 2002 through July, 2004	Evaluation of a combined therapy approach for improved intra-operative myocardial protection during prosthetic valve re-operation. To define a combined therapy approach to protecting the heart during cardiac surgery that will be directly applicable to clinical surgery.	UAB retained IP rights. Trustees retained non-exclusive license with right to sub-license.
33.	International Epidemiology Institute, Ltd.	November, 2003 through November, 2004	Quality of life and health survey. Conduct a long-term follow-up of BSCC patients in the USA regarding prescription drug use and health status.	All rights retained.
34.	Eindhoven University of Technology	November, 2003 through November, 2004	In-vitro analysis to evaluate the effect of modeling assumptions and boundary conditions on BSCC heart valve loading. Validation of modeling assumptions and boundary conditions of the computational work performed by EVI and Sheffield University.	All rights retained.
35.	Cleveland Clinic Foundation	January, 2004 through January, 2005	Three dimensional motion of prosthetic heart valves by computed tomography and echocardiography. Define the three-dimensional trajectory of prosthetic heart valves to define movement of the outlet strut throughout the cardiac cycle. Obtain echocardiographic images to delineate the motion of the valve and divine the closing velocity of the disc by carefully oriented M-mode echocardiography.	All rights retained.

36.	University Medical Center, Utrecht	January, 2004 through June, 2004	Assess the value of three dimensional rotational angiography for detecting single leg separation in BSSCC heart valves in vitro and subsequently in vivo.	All rights retained.
37.	EAR Medical Communications	January, 2004 through August, 2004	Drafting, translation and distribution of patient guide to 2003 Guidelines.	All rights retained.
38.	WESTAT, Inc.	February, 2004 through October, 2004	Survey physicians and class members to determine if and how the Guidelines are being used to support decisions regarding explantation of BSSCC heart valves.	All rights retained.
39.	International Epidemiology Institute, Ltd.	May, 2004 through May 2005	USA piece of an international epidemiology study. Identify a cohort of patients who have undergone prophylactic replacement of their BSSCC heart valves to determine mortality and health status in the years following explant surgery, and to compare the outcomes with those of similar patients who have not had their valves replaced.	All rights retained.
40.	Utrecht University, Julius Center for Health Sciences and Primary Care	May, 2004 through May 2005	Dutch piece of an international epidemiology study. Identify a cohort of patients who have undergone prophylactic replacement of their BSSCC heart valves to determine mortality and health status in the years following explant surgery, and to compare the outcomes with those of similar patients who have not had their valves replaced.	All rights retained.

41.	The Pennsylvania State University	September, 2004 through February, 2005. Contract was approved in May, 2003, however researcher just recently received manufacturing records from Pfizer. Six month term of the contract runs from the date of receipt of such manufacturing records.	Creation of a database of BSSC heart valve manufacturing records that will be available to assist the Supervisory Panel in identifying individual BSSC heart valves manufactured prior to April 1, 1984, presently implanted in registered members of the settlement class that are at a high risk of fracture.	All rights retained.
42.	Information Systems Laboratories	March, 1998 through March, 2005	Development of noninvasive techniques for the detection of single leg separation in BSSC heart valves. This project has developed and changed over time. Current work involves a noninvasive electromagnetic heart valve detection system. Animal studies have recently been approved.	All rights retained
43.	Michigan State University	October, 2001 through March, 2006	Development of three complimentary methods of detecting single leg separation: (a) EMAT based approach, (b) catheter-based eddy current probe with external excitation, and (c) differential eddy current probe approach. This project is ongoing and has developed over the past three years. Animal studies have recently been approved.	All rights retained
44A.	Edison Welding Institute	May, 2001 through February, 2002	To identify the stresses associated with disc closure and use such stresses to define the failure process that leads to outlet strut fracture.	All rights retained

44B.	Edison Welding Institute	May, 2001 through January, 2002	Vibration analysis of BSSCC heart valves. To provide confidence in the ability to detect partially failed outlet struts and to identify the origin of the observed variation in the resonant frequency.	All rights retained
44C.	Edison Welding Institute	May, 2001 through October, 2001	To develop standard samples that can be used to examine the ability of advanced acoustic resonance techniques to detect partially failed outlet struts in BSSCC heart valves.	All rights retained
44D.	Edison Welding Institute	March, 2002 through September, 2002	To develop a searchable database of design information that can be used to readily identify significant changes in the BSSCC heart valve, and a database that catalogs changes in the BSSCC heart valve that took place during production.	All rights retained
44E.	Edison Welding Institute	March, 2002 through June, 2002	To critically assess the capability of available passive acoustic technology to detect acoustic signals that are symptomatic of outlet strut fracture, and to develop a strategy for integrating key components into a novel passive acoustic system that can detect acoustic signals that are symptomatic of outlet strut fracture in the BSSCC heart valve.	All rights retained
44F.	Edison Welding Institute	March, 2002 through February, 2003	To characterize the structural capabilities of the BSSCC heart valve after single leg separation has occurred on the outlet strut.	All rights retained
45.	Miromico Inc., IPT GmbH and Strela Development AG	July, 2003 through March, 2005	Develop and test the first tele-monitoring prototype system for valve related cardiac emergencies. Miromico is currently beginning Phase II of this project which will be completed in approximately 6 months.	Royalty & licensing rights retained

46.	University Medical Center, Utrecht	October, 2003 through March, 2005	Development of a high-frequency, miniaturized, electromagnetic dip meter for early detection of single leg separation in BSSC heart valves from the esophagus.	All rights retained Preliminary Patent Application filed on October 8, 2004. No Final Patent Application filed.
47A.	ACES of Columbus, LLC formally known as Advanced Computational and Engineering Services, LLC	November, 2003 through August, 2004	Demonstration of a passive acoustics system using commercially available components for the detection of critical resonant frequencies caused by the vibration of the outlet strut of a BSSC heart valve.	All rights retained
47B.	ACES of Columbus, LLC formally known as Advanced Computational and Engineering Services, LLC	November, 2003 through September, 2004	Incorporate recent advances in technology to identify the effects of body cavities, tissue and bones on the intensity and origin of specific acoustic frequencies.	All rights retained
47C.	ACES of Columbus, LLC formally known as Advanced Computational and Engineering Services, LLC	March, 2004 through December, 2004	Critical evaluation of the role of crack initiation and crack growth in determining the lifetime for outlet strut fracture using computational analysis. Incorporate the time for crack initiation into predictions of the time for single-leg-separation and outlet strut fractures.	All rights retained
47D.	ACES of Columbus, LLC formally known as Advanced Computational and Engineering Services, LLC	April, 2004 through December, 2004	Relationship between engineering database and epidemiological studies. To determine whether the approach for predicting the likelihood of valve failure as a function of design and manufacturing changes that were implemented throughout the production of BSSC heart valves is valid.	All rights retained
47E.	ACES of Columbus, LLC formally known as Advanced Computational and Engineering Services, LLC	April, 2004 through December, 2004	Determine the effect of compliant support conditions on BSSC heart valves. Incorporate the effect of local compliance on the predicted outlet strut load during closure.	All rights retained

47F.	ACES of Columbus, LLC formally known as Advanced Computational and Engineering Services, LLC	April, 2004 through December, 2004	BSSC heart valve performance modeling using element free techniques. Validate certain modeling techniques which have been used to determine the loads on the outlet strut caused by the occluder disk closure.	All rights retained
48.	Erasmus MC, University Center Rotterdam	April, 2003 through October, 2004 (K ended in January)	To determine whether broken struts of BSSC heart valves can be detected with standard ultrasound instruments.	All rights retained
49.	Eindhoven University of Technology	April, 2003 through April, 2004	Development of a catheter-based antenna for detecting flaws in BSSC heart valves. Demonstrate proof of concept of using the electromagnetic coupling between a small loop antenna and the metal part of a BSSC heart valve to determine the condition of the smaller strut.	All rights retained

APPENDIX

2

SUPERVISORY PANEL SUMMARY OF RESEARCH PROJECTS (as of October 3, 2008)

A.	Current Epidemiology Projects <u>Name of Institution</u>	Effective Date <u>Date of Contract</u>	Termination Date	Description of Project	Current Status	Contract Amount	Billed To Date
	None						
B.	Current Imaging & Acoustic Projects <u>Name of Institution</u>	Effective Date <u>Date of Contract</u>	Termination Date	Description of Project	Current Status	Contract Amount	Billed To Date
1.	Hershey Imaging	4/23/08	10/23/08	Radiographic Imaging to Detect SLS		\$160,000	\$87,618
2.	ACES	7/14/08	10/3/08	Analysis of acoustic recordings of human volunteers with implanted BSSCC heart valves.		\$37,900	0
C.	Projects Completed During Quarter						
	None						
D.	Approved Research Projects Pending Contract						
	None						
E.	Proposed Research Projects						
1.	Eindhoven (Jurgens de Hart)			Study of second harmonic of BSSCC valves		75,000 Euros	

APPENDIX

3

	January 2008	February 2008	March 2008
Total Visits	2514	1361	1848
Average Daily Visits	81	68	62
Average Visit Length	8.03	10.24	5.53
Median Visit Length	3:16	2:40	1:11
International Visits	2.34%	3.26%	3.28%
US Visits	83.09%	74.78%	86.24%
Unknown Origin Visits	14.55%	21.93%	10.47%
Unique Visitors	445	459	385
One-Time Visitors	237	260	438
Multiple-Time Visitors	208	199	247
Top Downloads	Pamphlet - 46 times Amended 2003 - 40 times Update - 37 times Doctor Letter 2003 - 37 times Class Letter 2003 - 34 times Settlement - 30 times Notice to BSCC Patients - 28 times Total Downloads	Settlement - 38 times Amended 2008 - 41 times Pamphlet - 38 times Pamphlet - 38 times Settlement - 34 times Notice to BSCC Patients - 27 times Haynes - 26 times Guidelines - Final - 19 times French Translation - 17 times 2007 Guidelines - 18 times 367	Amended 2008 - 41 times Pamphlet - 38 times Settlement - 34 times 26th Report - 26 times Class Letter 2003 - 24 times 10th Report - 20 times 2007 Guidelines - 18 times 417
Top Visitors Locations	Mountain View, CA Redmond, WA Reston, VA Altadena, CA Stamford, CT	Mountain View, CA Redmond, WA Altadena, CA Seal Beach, CA Stamford, CT	Redmond, WA Reston, VA Altadena, CA Denver, CO Bethesda, MA
Countries viewing the site	United States Germany Canada Netherlands Poland Seychelles France Italy	United States Germany Poland United Kingdom Brazil Seychelles Japan Spain	United States Croatia Germany Seychelles Italy Taiwan Switzerland Norway

	January 2008	February 2008	March 2008
State/Provinces/Leaving site	California Washington Virginia Connecticut Ohio Washington D.C. Colorado Maryland Kentucky	California Washington Connecticut Ohio Massachusetts Maryland New York Tennessee Georgia	Washington Virginia California Colorado Maryland Connecticut New York Ohio Massachusetts

	January 2008	February 2008	March 2008
Search Engine & Reference -	Google Yahoo Live MSN	Google Yahoo Ask Live MSN	Ask MSN Google Yahoo

	January 2008	February 2008	March 2008
Top Domain Types	Commercial (.com) - 1204 Network (.net) - 876 Education (.edu) - 13 Organization (.org) - 12 Government (.gov) - 1	Commercial (.com) - 820 Network (.net) - 678 Education (.edu) - 2 Military (.mil) - 1 Organization (.org) - 1	Commercial (.com) - 850 Network (.net) - 837 Education (.edu) - 2 Government (.gov) - 1 Organization (.org) - 1

February 2008

March 2008

April 2008

Total Visits	1997	1948	2004
Average Daily Visits	68	62	90
Average Visit Length	10:24	5:56	22:13
Median Visit Length	2:40	1:11	4:08
International Visits	3.86%	3.28%	2.14%
US Visits	74.78%	86.24%	90.05%
Unknown Origin Visits	21.34%	10.47%	7.80%
Unique Visitors	459	686	514
One-Time Visitors	260	438	264
Multiple-Time Visitors	199	247	310

Top Downloads	Settlement - 38 times	Amended 2008 - 41 times	Amended 2008 - 57 times
	19th Report - 38 times	Pamphlet - 38 times	Notice to BSCC Patients - 45 times
	Pamphlet - 28 times	Settlement - 34 times	Class Letter 2003 - 42 times
	Notice to BSCC Patients - 27 times	26th Report - 26 times	2007 Guidelines - 38 times
	Hayes - 26 times	Class Letter 2003 - 24 times	28th Report - 35 times
	Guidelines - Final - 19 times	10th Report - 20 times	Settlement - 34 times
	French Translation - 17 times	2007 Guidelines - 16 times	Hallies - 33 times
Total Downloads	367	417	654
Top Visitors Locations	Mountain View, CA	Redmond, WA	Redmond, WA
	Redmond, WA	Reston, VA	Sea Beach, CA
	Altadena, CA	Altadena, CA	Stamford, CT
	Seal Beach, CA	Denver, CO	Atlanta, GA
	Stamford, CT	Bethesda, MA	Cincinnati, OH
Countries viewing the site	United States	United States	United States
	Germany	Canada	Canada
	Poland	Germany	United Kingdom
	United Kingdom	Seychelles	China
	Brazil	Italy	Seychelles
	Seychelles	Taiwan	Mexico
	Japan	Switzerland	Hong Kong
	Spain	Norway	

February 2008 March 2008 April 2008

States/Provinces/Viewing Site	February 2008	March 2008	April 2008
California	Washington	Washington	Washington
Washington	Virginia	Virginia	California
Connecticut	California	Colorado	Connecticut
Ohio	Maryland	Connecticut	Ohio
Massachusetts	New York	New York	Virginia
Maryland	Tennessee	Ohio	New York
New York	Tennessee	Massachusetts	Tennessee
Tennessee	Georgia	Georgia	New Jersey
Georgia			Virginia
			Massachusetts
			Connecticut
			Michigan
			Mississippi
Search Engine & Reference -	Google	Ask	Yahoo
	Yahoo	MSN	Google
	Ask	Google	MSN
	Live	Yahoo	
	MSN		
Top Domain Types	Commercial (.com) - 820	Commercial (.com) - 850	Network (.net) - 1834
	Network (.net) - 1678	Network (.net) - 837	Commercial (.com) - 607
	Education (.edu) - 2	Education (.edu) - 2	Education (.edu) - 5
	Military (.mil) - 1	Government (.gov) - 1	Government (.gov) - 3
	Government (.gov) - 1	Organization (.org) - 1	Military (.mil) - 1
	Organization (.org) - 1		Organization (.org) - 3

	March 2008	April 2008	May 2008
Total Visits	348	270	332
Average Daily Visits	62	90	106
Average Visit Length	5:58	2:13	2:00
Median Visit Length	1:11	4:08	3:46
International Visitors	328%	214%	214%
US Visits	86.24%	90.05%	85.24%
Unknown Country Visitors	10.47%	7.90%	12.61%
Unique Visitors	686	574	555
One-Time Visitors	438	264	299
Multiple Time Visitors	247	310	283
Top Downloads	Attended 2008 - 21 times	Attended 2008 - 57 times	2007 Guidelines - 113 times
	Pamphlet - 38 times	Notice to BSCC Patients - 45 times	22nd Report - 45 times
	Settlement - 34 times	Class Letter - 303 - 42 times	3rd Report - 43 times
	26th Report - 26 times	2007 Guidelines - 38 times	14th Report - 44 times
	Class Letter 2003 - 24 times	28th Report - 35 times	6th Report - 43 times
	10th Report - 20 times	Settlement - 34 times	13th Report - 43 times
	2007 Guidelines - 19 times	Hayes - 39 times	18th Report - 42 times
Total Downloads	417	654	835
Top Visitors Locations	Redmond, WA	Redmond, WA	Redmond, WA
	Reston, VA	Seaf Beach, CA	Seaf Beach, CA
	Altadena, CA	Stamford, CT	Altadena, CA
	Bethesda, MD	Altadena, CA	Cincinnati, OH
	Denver, CO	Stamford, CT	Stamford, CT
Countries viewing the site	United States	United States	United States
	Canada	Canada	Canada
	Germany	United Kingdom	Norway
	Sweden	China	Belgium
	Italy	Singapore	Singapore
	Taiwan	Mexico	Japan
	Switzerland	Hong Kong	Brazil
	Norway		

May 2008

April 2008

March 2008

States/Provinces/Viewing site	Washington	Washington	Washington
	California	California	California
	Connecticut	Connecticut	Ohio
	Colorado	Ohio	Connecticut
	Maryland	Virginia	Virginia
	Connecticut	New York	Colorado
	New York	Tennessee	Tennessee
	Ohio	Virginia	Virginia
	Massachusetts	Maryland	Ontario
Search Engine & Reference -	Ask	Yahoo	Yahoo
	MSN	Google	Google
	Google	MSN	MSN
	Yahoo	Ask	Ask
Top Domain Types	Commercial (.com) - 850	Network (.net) - 1834	Network (.net) - 1978
	Network (.net) - 837	Commercial (.com) - 807	Commercial (.com) - 850
	Education (.edu) - 2	Education (.edu) - 5	Education (.edu) - 8
	Government (.gov) - 1	Government (.gov) - 3	Organization (.org) - 1
	Organization (.org) - 1	Military (.mil) - 1	Government (.gov) - 1
		Organization (.org) - 1	

	April 2008	May 2008	June 2008
Total Visits	2704	3344	2888
Average Daily Visits	90	106	96
Average Visit Length	22.13	26.23	20.05
Median Visit Length	4.08	3.46	2.43
International Visits	2.14%	2.14%	2.16%
US Visits	90.05%	85.24%	81.19%
Unknown Origin Visits	7.80%	2.61%	16.79%
Unique Visitors	574	587	439
One-Time Visitors	264	299	241
Multiple-Time Visitors	310	288	198
Total Downloads	Amended 2008 62 times Notice to BSCC Patients - 45 times Class Letter 2003 42 times 2007 Guidelines - 38 times 28th Report 35 times Settlement - 34 times Haynes 33 times	2007 Guidelines 27 times 22nd Report - 45 times 15th Report 45 times 14th Report - 44 times 16th Report 43 times 13th Report - 43 times 18th Report 42 times 654	November 2007 Update 25 times Update - 40 times Summary of Cont Operation Plan 38 times Haynes 38 times Amended 2003 37 times 28th Report - 37 times 13th Report - 37 times 18th Report 36 times 835
Top Visitors Locations	Redmond, WA Seal Beach, CA Stamford, CT Alameda, CA Cincinnati, OH	Redmond, WA Seal Beach, CA Altadena, CA Cincinnati, OH Stamford, CT	Redmond, WA Altadena, CA Seal Beach, CA Stamford, CT Cincinnati, OH United States United States Germany Canada United Kingdom China Senegal Mexico Hong Kong
Countries viewing the site	United States Germany Canada Norway Congo Belgium Seychelles Japan Netherlands Brazil	United States Germany Canada Norway Congo Belgium Seychelles Japan Netherlands Brazil	United States Canada Germany Seychelles Mexico Japan Netherlands Brazil

April 2008

May 2008

June 2008

States/Provinces viewing file	Washington	Washington	Washington
	California	California	California
	Connecticut	Ohio	Connecticut
	Ohio	Maryland	Ohio
	Virginia	Colorado	Maryland
	New York	Tennessee	Colorado
	Tennessee	Virginia	Virginia
	New Jersey	Ontario	Ontario
	Maryland	Tennessee	Tennessee
Search Engine & Reference -	Yahoo	Yahoo	Yahoo
	Google	Google	Google
	MSN	MSN	MSN
		ASK	ASK
Top Domain Types	Network (.net) - 1834	Network (.net) - 1978	Network (.net) - 1599
	Commercial (.com) - 60	Commercial (.com) - 850	Commercial (.com) - 760
	Education (.edu) - 5	Education (.edu) - 8	Education (.edu) - 2
	Government (.gov) - 13	Organization (.org) - 1	Organization (.org) - 1
	Military (.mil) - 1	Government (.gov) - 1	
	Organization (.org) - 1		

	May 2008	June 2008	July 2008
Total Visits	3314	2898	2386
Average Daily Visits	106	96	76
Average Visit Length	26.2300	8.05	14.50
Median Visit Length	3.46	2.43	7.55
International Visits	2.14%	2%	3.14%
US Visits	85.24%	81.19%	88.32%
Unknown Origin Visits	12.62%	16.75%	6.55%
Unique Visitors	587	439	386
One-Time Visitors	299	241	221
Multiple-Time Visitors	288	198	165
Top Downloads	2007 Guidelines - 47 times 22nd Report - 45 times 15th Report - 45 times 14th Report - 44 times 16th Report - 43 times 13th Report - 43 times 18th Report - 42 times Total Downloads	November 2007 Update - 45 times Update - 40 times Summary of Cont. Operation Report - 38 times Haynes - 38 times Amended 2003 - 37 times 28th Report - 37 times Spanish Translation - 37 times 28th Report - 37 times November 2007 Update - 36 times 18th Report - 36 times 18th Report - 36 times 701 835	Update - 48 times Amended 2003 - 41 times Haynes - 40 times 28th Report - 40 times Spanish Translation - 37 times 28th Report - 36 times 10th Report - 36 times 719
Top Visitors Locations	Redmond, WA Sea Beach, CA Cincinnati, OH United States	Redmond, WA Altadena, CA Seal Beach, CA Stamford, CT Cincinnati, OH United States	Redmond, WA Altadena, CA Seal Beach, CA Stamford, CT Cincinnati, OH United States
Countries viewing the site	Germany Norway Canada Belgium Seychelles Japan	Canada Germany Seychelles Mexico Japan Netherlands	Canada Germany China United Kingdom Australia Seychelles Brazil Netherlands

May 2008 June 2008 July 2008

States/Provinces/Viewing Site	May 2008	June 2008	July 2008
Washington	Washington	Washington	Washington
California	California	California	California
Ohio	Ohio	Connecticut	Connecticut
Connecticut	Connecticut	Ohio	Virginia
Maryland	Maryland	Colorado	Ohio
Colorado	Colorado	Virginia	Maryland
Tennessee	Tennessee	Ontario	Tennessee
Virginia	Virginia	Tennessee	Colorado
Ontario	Ontario	New York	New York

Search Engine & Reference -	May 2008	June 2008	July 2008
Yahoo	Yahoo	Yahoo	Yahoo
Google	Google	Google	MSN
MSN	MSN	MSN	Google
Ask	Ask	Ask	Ask

Top Domain Types	May 2008	June 2008	July 2008
Network (.net)	Network (.net)	Network (.net)	Network (.net)
Commercial (.com)	Commercial (.com)	Commercial (.com)	Commercial (.com)
Education (.edu)	Education (.edu)	Education (.edu)	Education (.edu)
Organization (.org)	Organization (.org)	Organization (.org)	Organization (.org)
Government (.gov)	Government (.gov)	Government (.gov)	Government (.gov)
Organization (.org)	Organization (.org)	Organization (.org)	Organization (.org)

	June 2008	July 2008	August 2008
Total Visits	2888	2882	2857
Average Daily Visits	96	76	63
Average Visit Length	3.05	14.50	11.68
Median Visit Length	2:43	7.55	3.50
International Visits	2%	3.14%	3.27%
US Visits	81.19%	88.32%	89.78%
Unknown Origin Visits	16.79%	8.52%	6.94%
Unique Visitors	439	386	271
One-Time Visitors	241	221	169
Multiple Time Visitors	198	165	102
Top Downloads	November 2007 Update - 45 times Update - 40 times Summary of Con Operation Plan - 38 times Amended 2003 - 37 times 28th Report - 37 times 18th Report - 36 times Total Downloads	Update - 48 times Amended 2003 - 41 times Haynes - 40 times 28th Report - 40 times Spanish Translation - 37 times November 2007 Update - 36 times 10th Report - 36 times 701	Classmate 2003 - 39 times Haynes - 36 times Guidelines - 35 times Legal Notice to Class - 34 times Bibliography - 34 times 28th Report - 33 times 20th Report - 33 times 719
Top Visitors Locations	Redmond, WA Altadena, CA Seal Beach, CA Stamford, CT Cincinnati, OH	Redmond, WA Altadena, CA Seal Beach, CA Stamford, CT Cincinnati, OH	Redmond, WA Altadena, CA Seal Beach, CA Altadena, CA Boston, VA Stamford, CT
Countries viewing the site	United States Canada Germany Seychelles Mexico Japan Netherlands Brazil	United States Canada Germany China United Kingdom Australia Seychelles Netherlands India	United States Canada Seychelles Japan Germany Taiwan India Belgium

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June 2008

July 2008

August 2008

States/Provinces/Viewing Site	Washington	Washington	Washington	California	California	California
California				Connecticut	Connecticut	Virginia
Connecticut				Ohio	Virginia	Ohio
Ohio				Maryland	Ohio	Connecticut
Maryland				Colorado	Maryland	Colorado
Colorado				Virginia	Tennessee	Texas
Virginia				Tennessee	Colorado	Maryland
Ontario				Tennessee	New York	Tennessee
Tennessee						
Search Engine & Reference -	Yahoo	Yahoo	Yahoo	MSN	MSN	Yahoo
	Google	Google	Google	Google	Google	Google
	MSN	MSN	MSN	Ask	Ask	MSN
Top Domain Types	Network (.net) - 1599	Network (.net) - 1250	Network (.net) - 1027	Commercial (.com) - 872	Commercial (.com) - 744	Commercial (.com) - 744
	Commercial (.com) - 760	Commercial (.com) - 872	Commercial (.com) - 744	Education (.edu) - 4	Organization (.org) - 2	Organization (.org) - 2
	Education (.edu) - 2	Education (.edu) - 4	Education (.edu) - 2	Organization (.gov) - 1	Government (.gov) - 1	Education (.edu) - 2
	Organization (.org) - 1	Organization (.org) - 1	Organization (.org) - 1			

APPENDIX

4

TRUSTEES FOR THE BOWLING-PFIZER
HEART VALVE SETTLEMENT FUNDS

BALANCE SHEET

AS OF AUGUST 31, 2008

UNAUDITED

ASSETS

CASH	\$ 263,160
U.S. TREASURY BILLS	21,996,081
OTHER ASSETS	<u>5,976</u>
	<u><u>\$ 22,265,217</u></u>

LIABILITIES AND FUNDS BALANCE

ACCOUNTS PAYABLE AND ACCRUED EXPENSES	\$ 98,508
FUNDS BALANCE	<u>22,166,709</u>
	<u><u>\$ 22,265,217</u></u>

TRUSTEES FOR THE BOWLING-PFIZER
HEART VALVE SETTLEMENT FUNDS

STATEMENT OF INCOME AND FUNDS BALANCE

FOR THE EIGHT MONTHS ENDED AUGUST 31, 2008

UNAUDITED

INVESTMENT INTEREST INCOME \$ 423,268

RESEARCH PROGRAMS - COSTS 7,852

LITIGATION ATTORNEYS - FEES & EXPENSES 218,630

EXPENSES:

Supervisory Panel 141,248 (1)

Trustees' fees and expenses 27,171

Professional fees 96,657

Administrative office 381,374 (1)

Total 646,450

NET CHANGE IN FUNDS BALANCE (449,664)

FUNDS BALANCE, DECEMBER 31, 2007 22,616,373 (2)

FUNDS BALANCE, AUGUST 31, 2008 \$ 22,166,709

(1) - See Schedule 1 herewith.

(2) - This amount is different than the balance in the audited financial statements due to accruing certain expenses on the unaudited financial statements to more currently reflect the financial condition of the Settlement Funds.

TRUSTEES FOR THE BOWLING-PFIZER
HEART VALVE SETTLEMENT FUNDS

SCHEDULE OF EXPENSES
UNAUDITED

	BUDGET	ACTUAL
	<u>1/1/08-12/31/08</u>	<u>1/1/08- 8/31/08</u>
SUPERVISORY PANEL:		
Panel members' compensation	\$ 122,120	
Consultants' compensation	15,050	
Miscellaneous	4,078	
 Total	 <u>\$ 141,248</u>	
 ADMINISTRATIVE OFFICE:		
Rents	\$ 68,000	\$ 46,016
Office payroll	413,000	254,318
Payroll taxes	28,000	23,385
Other employee benefits	76,000	48,429
Outside services	12,000	2,303
Printing and postage	6,000	1,286
General insurance	3,000	1,035
Telephone	9,000	5,288
Office supplies and expense	6,000	1,777
Miscellaneous	6,000	521
Administrative services income	<u>(5,000)</u>	<u>(2,984)</u>
 Total	 <u>\$ 622,000</u>	<u>\$ 381,374</u>