

NO. B-164,774

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|--------------------------------------|---|------------------------------------|
| JEWEL TUCKER, JOHNIE WHISMAN, ET AL. | § | IN THE DISTRICT COURT OF |
| | § | |
| vs. | § | |
| | § | JEFFERSON COUNTY, TEXAS |
| | § | |
| SULZER ORTHOPEDICS, INC., ET AL. | § | 60 th JUDICIAL DISTRICT |

AFFIDAVIT

State of Oklahoma)
)
 County of Rodgers)

JOHNIE WHISMAN, being duly sworn deposes and says:

1. On July 6, 2000, I had a Sulzer Total Hip Implant inserted on my right side. Since that time, I have been in significant pain in the hip and groin area. In early 2001, I was informed that my Sulzer implant was recalled. X-Rays were taken which showed that the implant shell was extremely loose. On March 13, 2001, I had a revision surgery and a new Sulzer was implanted. Shortly thereafter, I experienced severe pain and I was re-hospitalized on April 15, 2001. Tests revealed that my "new" Sulzer was also defective and while I needed another revision, I would have to wait because I could not have two surgeries so close together. After experiencing months of pain, I had a second revision surgery on July 18, 2001.

2. I have been informed of the terms of the settlement proposal submitted by Sulzer. I understand that under the terms of this settlement, I would receive \$63,500 in cash and shares of Sulzer stock with a present value of \$34,000. I have been informed that I may be able to get additional compensation from the "extraordinary fund"; however, I would have to accept the base

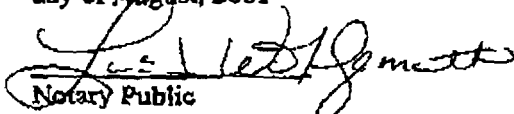
settlement without knowing how much money, if anything, I would receive from this "extraordinary fund".

3. I do not feel that this settlement offer is fair and just compensation for the pain and suffering that I have endured. Clearly, this settlement proposal does not take into account the severe pain and suffering that I have faced over the past year. For the forgoing reasons, I object to the class action settlement presently pending for approval before the Federal Court in Cleveland, Ohio.

Dated: August 22, 2001


Johnie Whisman

Sworn to before me this 22nd
day of August, 2001


Notary Public

Comm Expires 3-30-2004

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
EDNA PEET

Index # 105749/01

Plaintiff

-against-

AFFIDAVIT

SULZER CORPORATION, SULZER MEDICA USA,
SULZER MEDICA USA HOLDING CO.,
SULZER MEDICA, LTD., SULZER ORTHOPEDICS,
INC., SULZER ORTHOPEDICS, LTD., SULZER
INNOTECH, LTD., SULZER BIOLOGICS, INC., and
MARLI MEDICAL SUPPLY, INC.

-----X
State of New York)
)
County of Kings)

EDNA PEET being duly sworn deposes and says:

1. On June 29, 1999, I received a Sulzer Hip Implant on my left side. Over the next two months, I had another two procedures because the implant was failing. Over the next year and one half, I continuously complained to my surgeon that I was in severe pain on my left side due to the hip implant. My doctor did not have any answers and could not explain why I was in so much pain. Earlier this year, I was told that my Sulzer Hip Implant was recalled. On May 17, 2001, I underwent a revision surgery. To date, I still experiencing pain and discomfort and I have been told that I may need to have another surgery on my left hip in the next few weeks.

2. I have been informed of the terms of the settlement proposal submitted by Sulzer. I understand that under the terms of this settlement, I would receive \$57,500 in cash and stock and that I may be able to get additional compensation from the "extraordinary fund". I have been advised that I would have to accept the base settlement without knowing how much money, if

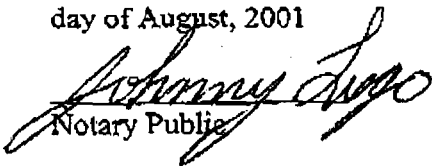
anything, I would receive from this "extraordinary fund".

3. I do not feel that this settlement offer is fair and just compensation for the pain and suffering that I have endured. For the forgoing reasons, I object to the class action settlement presently pending for approval before the Federal Court in Cleveland, Ohio.

Dated: August 22, 2001


Edna Peet

Sworn to before me this 22
day of August, 2001


Notary Public

JOHNNY LUGO
Notary Public, State of New York
No. 01118057342
Qualified in Bronx County
Commission Expires April 18, 2003

NO. B-164,774

| | | |
|-------------------------------------|---|------------------------------------|
| JEWEL TUCKER, DOROTHY BODEK, ET AL. | § | IN THE DISTRICT COURT OF |
| vs. | § | |
| | § | JEFFERSON COUNTY, TEXAS |
| | § | |
| SULZER ORTHOPEDICS, INC., ET AL. | § | 60 th JUDICIAL DISTRICT |

AFFIDAVIT

State of Florida)
)
 County of St. Lucie)

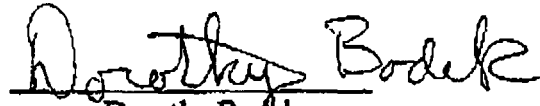
DOROTHY BODEK, being duly sworn deposes and says:

1. On January 13, 2000, I had a Sulzer Total Hip Implant inserted on my right side. Since that time, I have had three dislocations and was hospitalized each time for a closed reduction. During the last hospitalization, I had complications with blood clots in my legs which I was told was caused by my repeated dislocations. Earlier this year, I was notified that my Sulzer Hip implant was recalled. My orthopedic surgeon told me that while I need a revision surgery, I could not get one because of the blood clots. My pain and suffering over the past two years is indescribable.

2. I have been informed of the terms of the settlement proposal submitted by Sulzer. I understand that under the terms of this settlement, I would receive \$2,750 in cash and stock and that I may be able to get additional compensation from the "extraordinary fund". I have been advised that I would have to accept the base settlement without knowing how much money, if anything, I would receive from this "extraordinary fund".

3. I do not feel that this settlement offer is fair and just compensation for the pain and suffering that I have endured. Clearly, this settlement proposal does not take into account the fact that I need another surgery but cannot have one due to complications from my last revision. For the forgoing reasons, I object to the class action settlement presently pending for approval before the Federal Court in Cleveland, Ohio.

Dated: August 22, 2001


Dorothy Bodek
B 3201933475100

Sworn to before me this 22
day of August, 2001


Notary Public

