

LAS VEGAS VICTIMS' FUND

DRAFT

PROTOCOL

NOVEMBER 16, 2017

The Las Vegas Victims' Fund ("LVVF") is a Nevada non-profit corporation established to oversee the consolidation and distribution of the funds contributed through the generosity of businesses, foundations and thousands of individual donors ("Fund") in response to the shootings at the site of the Route 91 Harvest Music Festival on October 1, 2017 ("1 October"). Funds to be distributed by the LVVF originate from the GoFundMe Victims' Fund established on October 2, 2017, by Clark County Commission Chairman Steve Sisolak and Las Vegas Metropolitan Police Department Sheriff Joseph Lombardo, the National Compassion Fund, the Direct Impact Fund and numerous other fundraising efforts. The LVVF has submitted an application for 501(c)(3) tax-exempt status to the Internal Revenue Service and approval of its application is pending. In the event the LVVF's application is not granted in a timely manner, the LVVF will work with an existing 501(c)(3) entity to make distributions consistent with the Final Protocol.

The events of 1 October resulted in unspeakable tragedy, trauma and loss for thousands of people who attended the music festival, responded to assist the victims or were otherwise impacted by the tragic events of that night. These funds are to be distributed to those who have been the most severely impacted by loss of life or physical injury. It is not possible to include all of the individuals impacted by 1 October and the criteria set by the LVVF in this protocol is by no means intended to devalue or minimize the trauma that has been experienced by a great many. While the LVVF cannot financially assist all of those impacted by 1 October, information concerning treatment for emotional distress (and other forms of assistance and resources), can be found on the Lasvegasvictimsfund.org website or on the websites of other qualified organizations to be identified in the Final Protocol. One hundred percent of the donations to the Fund will be used to assist the families of the decedents and the victims who were physically injured and admitted to a hospital as a result of 1 October. All amounts paid to eligible claimants are a charitable gift intended to assist those most impacted by the events of 1 October. Amounts paid are not in any way reimbursement or compensation for an economic loss. Final determination of all matters related to the Fund, including, but not limited to the criteria for eligibility for payment, and distribution of payments will be made based on recommendations made by the LVVF Board of Director's Committee ("LVVF Committee") to and adopted by the LVVF Board of Directors ("LVVF Board").

This draft protocol ("Draft Protocol") is being considered for adoption by the LVVF Committee and may include feedback received from victims, the community and the general public. Two Town Hall meetings have been scheduled for 10:30 a.m. and 6:00 p.m. on Tuesday, November 28, 2017, at the Clark County Government Center Commission Chambers, located at 500 South Grand Central Parkway, Las Vegas, Nevada, 89106, to discuss the terms and conditions of this Draft Protocol. The public meetings will be broadcast live on Clark County Television and via the internet to maximize participation of all victims and victims' families. Comments concerning this Draft Protocol may also be submitted via email to the Las Vegas Victims' Fund at comments@lasvegasvictimsfund.org or by written correspondence addressed to the Las Vegas Victims' Fund, P.O. Box 551111, Las Vegas, Nevada 89155-1111. In addition, this Draft Protocol may incorporate feedback and suggestions and comments from related compensation funds, including, but not limited to, the Vegas Strong Fund, the National Compassion Fund, the Direct Impact Fund, and the GoFundMe Victims' Fund. Once comments have been received and considered, the LVVF Committee may amend this Draft Protocol and will adopt a final protocol ("Final Protocol"), which will be made available to the public no later than December 15, 2017.

All payments from the Fund will be prioritized and apportioned among the families of the decedents and the victims who were physically-injured as a result of the events of 1 October meeting the below criteria. Each decedent or victim for whom a claim is submitted, must be validated by the Federal Bureau of Investigation as a victim of the October 1 attack in order to be deemed eligible for payment from the Fund. No funds shall be disbursed to any individual listed on the U.S. Department of Treasury, Office of Foreign Assets Control, Specially Designated Nationals and Blocked Persons list ("SDN List").

Determination of the amount to be paid to a claimant in each of the categories described below depends upon the following: 1) the balance in the Fund at the time of anticipated distribution; 2) the receipt of updated data regarding the nature and the number of physical injuries; 3) completion of the review of all submitted claims by the Fund Administrators; and 4) review and approval of the proposed distribution by the LVVF Committee and the LVVF Board. Should sufficient additional funds be received by the LVVF after the initial distribution, a supplemental distribution may be made to eligible claimants.

The Distribution classifications are outlined below:

I. PRIORITIZATION OF ELIGIBLE INDIVIDUAL CLAIMS

- A. Individual Death Claims and Individual Claims for victims who sustained permanent brain damage and/or permanent paralysis requiring continuous home medical assistance (as demonstrated by documentation satisfactory to the Fund Administrators).**

Eligible claimants in this category will receive the highest level of payment under the scope of the Final Protocol.

B. Individual Physical Injury Claims for Victims Requiring Hospitalization.

Eligible claimants who were physically injured and admitted to a hospital within 48 hours of the October 1, 2017, shootings for one or more nights between October 1, 2017, and January 31, 2018, as a result of the 1 October shootings, will receive payment under the Final Protocol. Specific documentation and proof requirements will be set forth in the Claim Form discussed below.

II. PROCESS AND PROCEDURES

Eligible claimants must file either a Claim for Deceased Victims or a Claim for Physical Injury (each, a “Claim”) in order to be eligible to participate and receive a payment from the Fund. A single Claim should be submitted for each eligible claimant.

The process and procedures for consideration of eligible claims will be as follows:

A. A link to submit an online claim form (“Claim Form”) and the Final Protocol, will be made available to all known claimants who have provided the necessary information to the LVVF or the National Center for Victims of Crime (“NCVC”) by US mail and/or email. The Final Protocol and information concerning the Claim process will also be available on the Lasvegasvictimsfund.org and the nationalcompassionfund.org websites beginning on December 15, 2017. Representatives from the NCVC and Angeion Group (collectively, the “Fund Administrators”) will administer and process the claims. **Only one Claim should be submitted by or on behalf of each victim.** The Claim Form must be completed and submitted to the Fund Administrators (along with all required supporting documentation detailed on the Claim Form) no later than January 31, 2018. Questions regarding the completion of a Claim Form can be sent via email to claimantservices@ncvc.org or made by telephone to 855-4VICTIM (855-484-2846)

B. Access to the Online Claims System can be found through links on the lasvegasvictimsfund.org website or at www.NationalCompassionFund.org. Claimants who lack access to a computer or the Internet are invited to call the toll-free claimant assistance number at 855-4VICTIM (855-484-2846) for guidance on alternative filing assistance.

C. In the event that a claimant submits an incomplete or deficient claim (*e.g.*, the claimant failed to include required documentation or failed to fully complete the Claim Form), a representative from the Fund Administrators’ office may work with the claimant in an effort to cure any such deficiencies.

D. Payments will be issued shortly after the deadline for submission of all eligible Claims and the final review and determination of all eligible Claims by the Fund Administrators. The Fund Administrators will submit final payment determinations to the LVVF Committee for recommendation and submission to the LVVF Board for approval of transmission of the payments, by check or electronic bank wire, to each eligible claimant. (Payments made by check will be sent to claimants via courier service.) In the event sufficient

contributions are received after the final payment determinations, a supplemental distribution may be made to eligible claimants.

E. A Claim Form filed for a deceased victim will require the spouse or legal partner's signature if the deceased individual was married at the time of death, and shall also include information pertaining to individuals (e.g., spouse, children, parents, siblings) who may be eligible to receive compensation under the local probate law of the deceased victim's domicile. In cases where the victim was not married, the personal representative legally authorized to administer the estate must sign the Claim Form. If the deceased did not leave a will, the personal representative must prepare a proposed plan of distribution of the funds among the decedent's legal heirs and beneficiaries. The proposed plan will be distributed to all such legal heirs and beneficiaries, each of whom must consent to the proposed distribution. If agreement among the heirs and beneficiaries cannot be reached as to who will serve as the personal representative, or with regard to the proposed distribution, the claimant(s) will be required to obtain legal authorization from the Probate Court having jurisdiction to determine who is the legally-responsible person eligible to file the Claim. Under those circumstances, the Fund Administrators will recommend that the LVVF deposit the affected funds with the Probate Court having jurisdiction, to be held in a separate account and to be distributed only upon resolution in accordance with a valid court order.

F. For Claims for a minor child, the Claim Form will require the signature of both parents unless sole custody or legal guardianship of the minor child can be satisfactorily demonstrated in writing by a single parent or legal guardian. For Claims for incompetent adults, the Claim Form will require proof of representative capacity, such as a power of attorney, guardianship, appointment of guardian or attorney ad litem.

G. A Claim filed for a physical injury claimant must include an authorization pursuant to the Health Insurance Portability and Accountability Act (HIPAA) of 1996 allowing the medical provider to disclose information from the claimant's hospital or medical provider which confirms: i) date of admission or treatment, ii) date of discharge, and iii) the nature of the injury and that the injury was sustained as a result of 1 October.

H. The LVVF cannot provide tax advice to those receiving payments from the Fund. The Fund Administrators recommend you consult a tax advisor for any questions regarding tax liability for these payments.

I. The LVVF cannot provide advice to those receiving payment from the Fund who are receiving some form of public assistance such as Medicaid, Supplemental Security Income, Temporary Assistance for Needy Families, Nevada Victims of Crime or other similar programs. The Fund Administrators recommend you consult an attorney for any questions regarding the possible loss of benefits resulting from the receipt of a payment from the Fund.

J. A full audit of the LVVF will be conducted by an independent accounting firm as soon as possible after completion of the payment process. The results of this audit will be made available to all claimants, donors and the general public along with a final report from the Fund Administrators.

III. OUTREACH

A. Two public meetings will be conducted by the LVVF Committee on Tuesday, November 28, 2017,

at 10:30 a.m. and 6:00 p.m. at the Clark County Government Center Commission Chambers, located at 500 South Grand Central Parkway, Las Vegas, Nevada, 89106, to explain the contents of this Draft Protocol and to invite input and comments from potential claimants and the general public. Each public meeting will last approximately 90 minutes. Speakers will be recognized to speak on a first-come first-served basis, based on a sign-up sheet that will be available during each meeting. It will be requested that each speaker limit his or her comments to three minutes to allow as many participants as possible to be able to speak. Written comments will also be collected at each public meeting and anyone not able to comment during the public meetings may submit written comments through December 8, 2017. In order to maximize participation of all victims and victims' families, the town hall meetings will be broadcast live on Clark County Television ("CCTV") as well as via a live stream at www.ClarkCountyNV.gov and at <https://www.youtube.com/ClarkCountyNV/Live>. CCTV is available in the Las Vegas area on Channel 4/1004 on Cox cable and on CenturyLink on Channels 4 and 1004 as well as in Laughlin on Channel 14 via Suddenlink. CCTV is available in Boulder City on Channel 4 and in Moapa Valley on Digital Channel 50.3.

B. Information collected from these meetings and communications and correspondence between the claimants and other interested parties and the LVVF and the Fund Administrators will be considered in adopting the Final Protocol.

C. The Final Protocol and information concerning the Claim process will be electronically disseminated to all known and registered victims and made available on the lasvegasvictimsfund.org and the nationalcompassionfund.org websites beginning on December 15, 2017. Email requests for copies of the final documents may be made to the lasvegasvictimsfund.org or nationalcompassionfund.org websites. **The deadline for submission of a Claim is January 31, 2018.** The Fund Administrators will work directly with claimants, as requested, to assist claimants in submitting all Claims prior to the January 31, 2018 deadline.

D. Following the submission of a Claim Form, a claimant may request a telephonic meeting with the Fund Administrators during the period between February 1 and February 26, 2018. Meetings will be scheduled at mutually convenient times. To request a telephonic meeting, claimants must submit a request via email to claimantservices@ncvc.org, or by telephone at 855-4VICTIM (855-484-2846).

IV. ESTIMATED TIMELINE

- November 16, 2017: Draft Protocol distributed to the public.
- November 28, 2017: Conduct two Town Hall meetings, one at 10:30 a.m. and one at 6:00 p.m., at the Clark County Government Center Commission Chambers, 500 South Grand Central Parkway Las Vegas, Nevada, 89106. Each meeting will last approximately 90 minutes. The public meetings will be broadcast live on Clark County Television and via the internet to maximize participation of all victims and victims' families.
- December 8, 2017: Deadline for all comments on the Draft Protocol.
- December 11, 2017: The LVVF Committee to adopt the Final Protocol.
- December 15, 2017: The Final Protocol and information on the Claim process will be electronically disseminated to all known claimants as identified by hospitals, the Las Vegas Metropolitan Police Department, the FBI or other local authorities, and potential claimants who registered through the lasvegasvictimsfund.org, the nationalcompassionfund.org, or other approved websites. These documents will also be available on the LVVF and National Compassion Fund websites.

- January 2, 2018 - January 31, 2018: Claim Forms completed and submitted to the Fund Administrators along with the required documentation.
- January 31, 2018: Deadline for submission of all Claim Forms.
- February 1 – February 26, 2018: All telephonic meetings requested with the Fund Administrators completed.
- March 1, 2018: All claims to be reviewed by the Fund Administrators and recommendations for payments to eligible claimants submitted to the LVVF Committee.
- March 5, 2018: Distribution of payments to approved eligible claimants begins on a rolling basis.
- April 30, 2018: Independent Audit begins (contingent upon the completion of payments and the absence of a second round of determinations and payments).