

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

In Re:

Settlement Facility Dow Corning Trust.

Case No. 00-00005  
Honorable Denise Page Hood

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**STIPULATION AND AGREED ORDER EXTENDING STAY PENDING APPEAL**

Dow Corning Corporation (“DCC”) and the Claimants’ Advisory Committee (“CAC”),  
by and through their undersigned counsel, agree as follows:

1. On June 10, 2009, this Court issued a Memorandum Opinion and Order regarding the Disability Level A Dispute (Docket No. 672) and another Memorandum Opinion and Order regarding the Tissue Expander Dispute (Docket No. 673) (collectively, the “Orders”).

2. On June 19, 2009, DCC filed a Notice of Appeal to the United States Court of Appeals for the Sixth Circuit for each of the Orders. (Docket Nos. 674, 675.)

3. DCC also filed a Motion to Stay the Orders pending appeal on June 19, 2009. (Docket No. 676.) The CAC filed a Response to DCC’s Motion on June 30, 2009, and DCC filed a Reply to that Response on July 10, 2009. (Docket Nos. 681, 682.)

4. This Court has currently scheduled a hearing regarding DCC’s Motion to Stay for Thursday, October 29, 2009.

5. DCC and the CAC are moving forward with the appeal. DCC has already filed its principal brief regarding the Tissue Expander Dispute and will be filing its principal brief in the Disability Level A Dispute on November 5, 2009.

6. DCC and the CAC have agreed to stay enforcement of the Orders, insofar as they direct the payment of disputed claims, through the pendency of DCC's appeals to the Sixth Circuit. This stipulation eliminates the need for the scheduled hearing on October 29, 2009.

7. DCC and the CAC agree that the Settlement Facility-Dow Corning Trust (SF-DCT) shall not make any payments on claims addressed by each of the Orders unless and until such Order is affirmed or this order is otherwise rescinded, and enforcement of each Order is hereby stayed pending resolution of the appeal of that Order.

8. DCC and the CAC further agree that SF-DCT shall evaluate and process claims subject to each Order so that such claims may be paid promptly if DCC's appeal relating to that Order is not successful, and nothing in this stay order limits SF-DCT's authority and ability to evaluate and process such claims while this stay order remains in effect.

IT IS SO ORDERED this 27th day of October, 2009.

/s/ Denise Page Hood  
DENISE PAGE HOOD  
United States District Judge

AGREED TO BY:

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