

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

IN RE	§	
	§	
DOW CORNING CORPORATION	§	
	§	
Reorganized Debtor	§	CASE NO: 00-CV-00005-DT
	§	
	§	Hon.Denise page Hood
	§	
	§	
	§	

**REPLY TO RESPONSES TO MOTION FOR RE-CATEGORIZATION OF KOREA BY
DOW CORNING AND CLAIMANTS’ ADVISORY COMMITTEE**

I. INTRODUCTION

Both Dow Corning and the Claimants’ Advisory Committee argued in agreement that the Korean Claimants failed to request the Finance Committee for re-categorization before filing the Motion with the Court and the request in the Motion, “The Court should order SF-DCT to pay the balance of payments up to 60 percent over 35 percent of the Domestic Amount for Applicable Compensation Level to all of the Korean Claimants who have already received compensation” was not warranted in the Plan.

II. ARGUMENT

As shown in Exhibit 7 attached to this Reply, the Korean Claimants through their attorney requested the members of the Finance Committee and the Parties which have ability to consider the request for re-categorization on April 25. Although this request via e-mail was not sent prior to the filing of the Motion with the Court, the failure to request to the Finance Committee first has

been fixed and the request to the Finance Committee was carried out. Thus the argument by both Dow Corning and the CAC became no basis.

By receiving the Response, Yeon Ho Kim realized that the change in compensation level for qualified claimants applies only prospectively. The position by Dow Corning and CAC is right. Therefore the Korean Claimants drop the request in the Motion, “The Court should order SF-DCT to pay the balance of payments up to 60 percent over 35 percent of the Domestic Amount for Applicable Compensation Level to all of the Korean Claimants who have already received compensation”.

Further, Dow Corning and CAC argued that each Party must fulfill obligations of the SFA thus the Court cannot issue an order directing the CAC and Dow Corning to refrain from influencing the SF-DCT’s interactions with the Korean Claimants. Although it looks odd that the CAC and Dow Corning try to limit the authority of the Court, Yeon Ho Kim accepts the position by the CAC and Dow Corning thus drops the request, “The Court should order the Parties including Dow Corning Company and the Claimants’ Advisory Committee not to influence on SF-DCT to give administrative disadvantages to the Korean Claimants while processing the Claims due to this Motion for Re-Categorization of Korea”.

Therefore, the Korean Claimants and Yeon Ho Kim request the Court to issue the following proposed order in a timely manner.

III. PROPOSED ORDER

It is ordered that the Finance Committee revise Schedule III to include Korea into Category 2 and to print the new Schedule III.

It is further ordered that the SF-DCT apply 60 percent of Domestic Amount for Applicable Compensation Level to the Korean Claimants who are going to receive any compensation

beginning from the date of issuance of this Order.

Date: May 12, 2014

Respectfully submitted,

(signed) Yeon Ho Kim

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For the above Korean Claimants

CERTIFICATE OF SERVICE

I hereby certify that on April ,2014, this Motion has been electronically filed with the Clerk of Court using ECF system, and same has been sent via e-mail to the following parties.

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(signed) Yeon Ho Kim

LIST OF EXHIBIT

EXHIBIT 7

E-Mail dated April 25,2014