

**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 RESPONSE OF DOW CORNING CORPORATION, THE DEBTOR’S
REPRESENTATIVES, THE CLAIMANTS’ ADVISORY COMMITTEE AND FINANCE
COMMITTEE
TO KOREAN CLAIMANTS’ MOTION FOR RELEASE OF CERTAIN EXHIBITS**

I. FACTS

On February 13, 2107, the counsel of the Korean Claimants, Yeon Ho Kim, requested a counsel of the Finance Committee on record, Mr. Steven Hickey, the Exhibit B filed as “Restricted”(see Exhibit A attached). He did not answer. On February 21, 2017, Yeon Ho Kim requested the substitute counsel of the Finance Committee, Mrs. Karima Maloney, requested again. She answered that she would address it with the Finance Committee and the Parties(see the Exhibit B attached). But she discontinued communicating.

On February 13, 2017, the counsel of the Korean Claimants requested a counsel of the Claimants’ Advisory Committee, Mrs. Dianna Pendleton-Dominguez, the Exhibits 5,6,7,8,9 filed as “Restricted”(see Exhibit C attached). She failed to answer.

On February 13, 2017, the counsel of the Korean Claimants requested the counsel of Dow Corning Corporation and the Debtor's Representatives, Mrs. Deborah Greenspan, the Exhibits A and B filed as "Restricted"(see Exhibit D attached). She did not answer.

On March 1, 2017, however, Mrs. Greenspan replied through an-email that she has attached a stipulated order(see Exhibit E attached). It is obvious that the reason for this late reply was that the counsel of the Korean Claimants, Yeon Ho Kim, called the Clerk of the Court to request the exhibits filed as "Restricted" on February 22, 2017(refer to Exhibit B attached).

Yeon Ho Kim replied Mrs. Greenspan that the Clause 6.b in the stipulated order should be revised, "Korean Counsel must maintain the Sealed Exhibits as confidential and may not disclose any Sealed Exhibits or the contents of any Sealed Exhibit to any person or entity except the representatives of the Korean Claimants", and the Clause 6.d in the stipulated order should be completely deleted (see Exhibit D attached).

II. ARGUMENT

First of all, the reply by Mrs. Greenspan proposing the stipulated order is too late. The reason for requesting the Exhibits by the Korean Claimants was to submit the opinions of the Korean Claimants by either supporting or opposing the Recommendation and Motion for Authorization to Make Second Priority Payments of the Finance Committee to the Court which had set the hearing date on March 23, 2017. Mrs. Greenspan replied on March 1, 2017.

She even proposed a stipulated order that the counsel of the Korean Claimants could not accept. In addition, on March 4, 2017, she refused to accept the revision of the stipulated order by saying, "We do not agree to your request to remove paragraph 6(d)".

This kind of late reply should not be tolerated by the Court. It was an act that the Parties deliberately calculated because the Korean Claimants lost an opportunity to submit opinions on the hearing date.

Afterwards, the Parties filed the Proposed Order for the Court's Consideration on March 13, 2017. If it were granted, the Korean Claimants would lose the due process officially.

Mrs. Greenspan alleged that the alternative terms of the proposed stipulated order are ambiguous. Yeon Ho Kim cannot understand the allegation. The terms are obvious in that Yeon Ho Kim can share the Sealed Exhibits and the contents of the Exhibits with the representatives of the Korean Claimants and the Clause 6.d in the stipulated order should be completely deleted.

This allegation is merely a saying that she wants to justify an act not to provide the Exhibits to the Korean Claimants before the hearing.

III. CONCLUSION

Therefore, the Korean Claimants seek the Order to release the relevant Exhibits including the 11 and 13 Exhibits filed by the Claimants' Advisory Committee immediately.

Date: March 15, 2017

Respectfully submitted,

(signed) Yeon Ho Kim

Yeon Ho Kim Int'l Law Office

Suite 4105, Trade Center Bldg.,

159 Samsung-dong, Kangnam-ku

Seoul 135-729 Korea

(822)551-1256

yhkimlaw@unitel.com

For the Korean Claimants

CERTIFICATE OF SERVICE

I hereby certify that on March 15, 2017, this Reply has been electronically filed with the Clerk of Court using ECF system, and the same has been sent via e-mail to the following parties.

Dow Corning

Susan McDonnell

Sue.mcdonnell@dowcorning.com

Lamont Buffington

lbuffington@garanlucow.com

Debtor's Representatives

Deborah Greenspan

GreenspanD@dicksteinshapiro.com

Douglas Schoettinger

Doug.schoettinger@dowcoring.com

Eudio Gil

egil@dow.com

Kevin Scroggin

Kevin.scroggin@dowcorning.com

David Tennant

dtennant@nixonpeabody.com

John Donley

John.donley@kirkland.com

Finance Committee

Francis McGovern

mcgovern@law.duke.com

Claims Advisory Committee

Dianna Pendleton-Rodriguez

Dpend440@aol.com

Earnest Hornsby

ehornsby@fplw-law.com

Sybilg58@aol.com

Jeffery Trachtman

jtrachtman@kramerlevin.com

Claims Administrator

Ann A. Phillips

APhillips@sfdct.com

(signed) Yeon Ho Kim