

EXHIBIT 1

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

IN RE	§	CASE NO: 00-CV-00005-DT
	§	
DOW CORNING CORPORATION,	§	(Settlement Facility Matters)
	§	
Reorganized Debtor	§	
	§	Hon. Denise Page Hood

**FINANCE COMMITTEE'S REPLY IN SUPPORT OF ITS MOTION
FOR ENTRY OF AN ORDER TO SHOW CAUSE
WITH RESPECT TO YEON HO KIM**

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**DECLARATION OF ELLEN BEARICKS REGARDING FINANCE
COMMITTEE'S MOTION FOR ENTRY OF AN ORDER TO SHOW
CAUSE WITH RESPECT TO YEON HO KIM**

I, Ellen Bearicks, declare the following based on my personal knowledge and recollection and review of certain data and documents:

1. I am the Quality Control Supervisor at the Settlement Facility-Dow Corning Trust ("SF-DCT"). In this position, I am responsible for assuring that Claims are processed accurately and in accordance with SF-DCT's Claims Resolution Procedures. I am also responsible for detecting and preventing fraud and abuse of the Claims Resolution Procedures. I have held this position since 2005. Prior to 2005, I was SF-DCT's Assistant Claims Operations Manager.

2. As part of my responsibilities, I send and receive correspondence with Attorneys of Record for Claimants regarding approved Claim payments for their clients and other issues related to distribution of Claim payments.

3. Mr. Yeon Ho Kim is the Attorney of Record for a large number of Claimants who reside in Korea ("Korean Claimants"). Mr. Kim provided to SF-DCT the mailing addresses of his clients. I have personal knowledge of Claim payments sent to Mr. Kim for distribution to the Korean Claimants. I am also familiar with correspondence sent from the SF-DCT directly to the Korean Claimants.

4. I also have reviewed and am familiar with the Finance Committee's Motion for Entry of An Order to Show Cause With Respect to Yeon Ho Kim, Mr. Kim's Response to the aforementioned Motion, and the exhibits filed with both pleadings.

5. Pursuant to SF-DCT Claim Resolution procedures, Claim payment checks for Claimants represented by Mr. Kim were sent to Mr. Kim's law office in Seoul, Korea. Claim award notification letters were mailed directly to the Claimants at the addresses provided by Mr. Kim to advise them that their Claims had been approved and that Claim payments had been issued.

6. Many award notification letters sent to Claimants represented by Mr. Kim were returned to the SF-DCT. The returned letters bore a red stamp from the Korean Postal Service indicating in Korean and French that the mail could not be delivered. The SF-DCT obtained translation services in order to understand the stamps.

7. The SF-DCT maintains a comprehensive claims database that contains information about each claimant and the status of each Claimant's claim submissions. When a correspondence to a Claimant is returned as undeliverable, a notation is made in the database. Based on information contained in the database, the SF-DCT compiled a list of current Korean Claimants represented by Mr. Kim with payment award letters that were returned as undeliverable. There are 148 Claimants on the list.

8. The SF-DCT confirmed that each claim payment check mailed to Mr. Kim for distribution to Claimants in the group of 148 with invalid addresses has been cashed.

9. On March 29, 2017, Mr. Kim returned eighty-five (85) \$1,200 Expedited Release awards. Those checks had not been cashed. With the returned checks, Mr. Kim included with a cover letter rejecting the payments and asking the SF-DCT to stop mailing that type of correspondence to him. The SF-DCT responded by sending to Mr. Kim an Acknowledgement of Returned Expedited Release Payment letter for each returned check. No claim payments have been sent to Mr. Kim since receiving his request to seize payments.

10. The Claims payment checks intended for the 148 Claimants referenced in the Finance Committee's Motion for Entry of An Order to Show

Cause were mailed to Mr. Kim's law office and cashed. Mr. Kim has not returned any of those payments to the SF-DCT.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct. Executed this 25 day of January, 2018.



Ellen Bearicks