

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

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

**RESPONSE OF YEON HO KIM TO THE SUPPLEMENTAL DECLARATION  
OF ELLEN BEARICKS**

I. SID6460319

Her address that she reported to Yeon Ho Kim law office upon signing up was #5-902 Sindonga APT, 20, Yangpyung-dong 1Ga, Yeongdungpo-gu, Seoul. Her reported telephone number was (02)6747-8255, which was not callable and disconnected. It is believed by Yeon Ho Kim law office that she never lived there because she has been a United States Citizen and has been living in the United States over the period.

After her check arrived from the Settlement Facility on March 21, 2015, her daughter produced her mother’s ID. Yeon Ho Kim paid money to her daughter after 10% attorneys’ fees was deducted.

Yeon Ho Kim has never talked with SID6460310 before February 15, 2018. Yeon Ho

Kim did not take a call from the Claimants in his law office unless the situation was necessary to explain directly. The employee in charge of Silicone Breast Implant Class Action did. Accordingly, the note of Ellen Bearicks, "She was told by her AOR that she had no case and would not receive payment" is incorrect. AOR means, "Attorney on Record".

The employee in charge of Breast Implant Class Action reported Yeon Ho Kim after Yeon Ho Kim received the Supplemental Declaration of Ellen Bearicks at the airport heading for Detroit that he had received SID6460319's phone call a few times and the last time that he spoke with her was August 1, 2009. She never called ever since. It was verified by his piling-up notes which are kept as data in his computer regarding the Claimants.

He said that he received a letter from the Settlement Facility on April 14, 2010 that SID6460319 must change her Claim Class from Class 5 to Class 6.2 and he tried to contact her through her reported address and the phone number to know whether she agreed to it. He could not reach her so he himself did it for SID6460319.

He insisted Yeon Ho Kim that, from his best memory, he did not say to her that she had no case and would not receive payment. He added that, if he had said so, it was because SID6460319 called while she was heavily drunken and shouted at him that Yeon Ho Kim law office lied to her, had a dig at him, blurted out mean and nasty remarks all the time over the phone, so he could not stand and was so upset that he retorted with such statement.

## II. Payment Made to Her Daughter and Counter to Declaration of Ellen Bearicks

Yeon Ho Kim paid money after the deduction of attorneys' fees to not SID6460319 but her daughter living in Korea. Yeon Ho Kim also talked to the ex-husband of SID6460319, the father of her daughter. Yeon Ho Kim verified through the ex-husband's explanation about what happened to his family and the documents produced by the daughter that the payment to the daughter was legitimate if the Claimant could agree (SID6460319 confirmed it to Yeon Ho Kim later over the phone from the US). The Claimant lives in the United States now with her new husband that Ellen Bearicks declared that she spoke to the spouse, who is not the father of the Claimant's daughter who received money.

Ellen Bearicks declared that the Claimant also told her when she last spoke to Mr. Kim he told her that she would not receive payment. Her last call was August 10, 2009. The Claimant's check from the Settlement Facility arrived on March 12, 2015. Therefore, it is not supporting her suggestion to discredit Yeon Ho Kim that when she last spoke to Mr. Kim (not Mr. Kim but his employee) she was told that she would not receive payment.

Ellen Bearicks declared that the Claimant further indicated that she no longer lives at the address noted in SF-DCT's file, and that she did not receive a copy of the award notification letter that was sent to her in 2015. The Claimant is believed that she never lived at the address that she reported to Yeon Ho Kim law office upon signing up and Yeon Ho Kim law office reported to the SF-DCT. Since she never lived at that address,

she had no way to receive a copy of the award notification letter. Likewise, Yeon Ho Kim law office had no way to contact her because she has never lived at the address and has never made her phone number callable because it was disconnected and she has been living in the US over the period. The declaration of Ellen Bearicks does not her suggestion regarding Yeon Ho Kim either.

Date: March 21, 2018

Respectfully submitted,

(signed) Yeon Ho Kim

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 21, 2018, this Response to Order to Show Cause has been electronically filed with the Clerk of Court using ECF system, and the same has been notified to all of the relevant parties of record.

Dated: March 21, 2018

Signed by Yeon Ho Kim