

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN RE:

SETTLEMENT FACILITY-  
DOW CORNING TRUST

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CASE NO. 00-CV-00005-DT  
(Settlement Facility Matters)

Hon. Denise Page Hood, Chief Judge

STIPULATION AND ORDER REGARDING DISPOSITION  
OF CERTAIN DOCUMENTS AND MATERIALS MAINTAINED IN THE  
DOW SILICONES CORPORATION MIDLAND RECORDS CENTER  
AND IN THE HEMLOCK PLANT

Whereas the Claimants’ Advisory Committee (CAC), Dow Silicones Corporation (DSC), and the Debtor’s Representatives (DRs) (collectively, the “Parties”) agree as follows:

1. The final deadline for submitting claims to the Settlement Facility – Dow Corning Trust (SF-DCT) is June 3, 2019.
2. The SF-DCT operations and facilities will terminate at some point after this final deadline and once all claims have been processed and Allowed claims have been paid.
3. The Court has previously entered the *Stipulation and Order Regarding Disposition of Certain Documents and Materials Maintained in the Dow Silicones Corporation Litigation Document Center* (ECF No. 1475). That Order addressed documents that are maintained in the Litigation Document Center.
4. DSC has identified documents and materials that have been stored in other facilities during the pendency of the litigation and Bankruptcy Case.
5. The identified documents and materials consist of correspondence, Chapter 11 invoices, ballots and notices, and similar documents, and old lab records for medical devices and materials. The documents and materials do not relate to individual claimants or claims.

6. The Parties have agreed to the disposition of the documents and materials maintained at the Midland Records Center and the Hemlock Plant as set forth herein:

A. Midland Records Center Documents.

1) DSC has identified 1,400 boxes of documents in the Midland Records Center that contain the following types of documents:

490 Boxes – Undeliverable returned mail

452 Boxes – Correspondence

119 Boxes – Attorney Correspondence Folders

117 Boxes – Chapter 11 Fee Application Invoices

300 Boxes – Containing multiple types of documents labeled as follows:

Claim Assignments, Commercial Claims NOC, Contingent

Fee Documentation, Ballots, NOI, Notices, Post-petition Fee

Application Payments, RECON, Trade Payable Claims,

Vistar Claims and Misc. Boxes.

2) Effective upon entry of this Order, The Dow Chemical Company and DSC shall be authorized to dispose of all of the above described documents and records except that boxes labelled “NOI” shall be retained until September 1, 2019 and may be destroyed after that date.

B. Hemlock Medical Materials/Hemlock Medical Plant Microfilm.

1) DSC has identified approximately 85 boxes of materials maintained at the Hemlock site and identified as customer complaints, project notebooks, and engineering calculations.

2) DSC has identified 258 rolls of microfilm maintained at the Hemlock site identified as old lab records.

3) Effective upon entry of this Order, DSC shall be authorized to dispose of all  
of the above-described documents and records.

Dated: April 23, 2019

S/DENISE PAGE HOOD

Denise Page Hood  
Chief Judge

SO STIPULATED and AGREED:

BLANK ROME LLP

CLAIMANTS' ADVISORY COMMITTEE

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