

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE:

**SETTLEMENT FACILITY-
DOW CORNING TRUST**



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

**Hon. Denise Page Hood,
Chief Judge**

**ORDER APPROVING STIPULATION TO APPOINT SUCCESSOR
TRUSTEE FOR THE SETTLEMENT FACILITY-DOW CORNING TRUST
CLAIM PAYMENTS AND TO AMEND THE DEPOSITORY TRUST
AGREEMENT**

After consideration of the agreement of Dow Silicones Corporation, the Debtor's Representatives, the Finance Committee and the Claimants' Advisory Committee, it is hereby ORDERED that:

1. The appointment of The Huntington National Bank as Trustee effective upon the execution of the Third Amendment (as hereinafter defined) is approved and the Huntington National Bank is appointed as Trustee under the Second Amended and Restated Depository Trust Agreement as amended.
2. Wells Fargo Bank, NA ("Wells Fargo") is removed as Trustee because the corporate trust component of Wells Fargo will be acquired by a successor entity that will not be in compliance with Section 3.01 of the Second Amended and Restated Depository Trust Agreement. Wells Fargo is directed to

transfer all assets of the SF-DCT immediately upon receipt of and as specified in a direction from the Finance Committee or Financial Advisor and shall cooperate in the transition to the successor Trustee. Wells Fargo shall provide to the Financial Advisor all books and records and account information regarding the SF-DCT.

3. The Third Amendment to the Second Amended and Restated Depository Trust Agreement, as well as the Exhibits and Annexes thereto (collectively, the “Amendment”), are hereby approved, and the parties thereto are authorized to execute the approved Amendment and thereby amend the Second Amended and Restated Depository Trust Agreement.

4. The Joinder Agreement to the Third Amendment to the Second Amended and Restated Depository Trust Agreement between and among: a) Dow Silicones Corporation; b) the Claimants’ Advisory Committee (designated pursuant to the Settlement Facility and Fund Distribution Agreement as a party to the Second Amended and Restated Depository Trust Agreement in place of the Tort Claimants’ Committee upon its appointment after the Effective Date); c) The Huntington National Bank as the successor Trustee; and d) Epiq Class Action and Claims Solutions, Inc. as the Paying Agent (the “Joinder Agreement”) also is approved, and the parties thereto are authorized to execute

the Joinder Agreement and thereby bind Epiq to the terms of the Third
Amendment to the DTA.

DATED: November 1, 2021

S/DENISE PAGE HOOD
DENISE PAGE HOOD
Chief Judge,
United States District Court