

No. 23-1936

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED
Nov 29, 2023
KELLY L. STEPHENS, Clerk

In re: SETTLEMENT FACILITY DOW
CORNING TRUST,

)
)

O R D E R

Korean Claimants—individuals from South Korea who settled claims against Dow Corning alleging injuries caused by breast implants it manufactured—appeal from the district court’s order relating to requests to reissue payments and to establish a final distribution date for funds put in trust following Dow Corning’s bankruptcy reorganization. An initial review of the docket suggests an issue of jurisdiction.

This court has jurisdiction over appeals from final judgments of the district courts under 28 U.S.C. § 1291. A decision is deemed final for purposes of an appeal under § 1291 “when it ‘ends the litigation on the merits and leaves nothing for the court to do but execute the judgment.’” *Inge v. Rock Fin. Corp.*, 281 F.3d 613, 617 (6th Cir. 2002) (quoting *Catlin v. United States*, 324 U.S. 229, 233 (1945)). The district court case is still open.

It is therefore **ORDERED** that Korean Claimants **SHOW CAUSE** within twenty-one (21) days of this order why their appeal should not be dismissed for lack of jurisdiction. Following receipt of the response or the expiration of the twenty-one-day response period, the issue will then be referred to the court for disposition.

ENTERED BY ORDER OF THE COURT



Kelly L. Stephens, Clerk