

**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**

**JOINT MOTION FOR DISMISSAL OF ORDER TO SHOW CAUSE**

The Finance Committee, the Claimants’ Advisory Committee, Dow Silicones Corporation, and the Debtor’s Representatives (collectively, “the Movants”) submit this motion for dismissal of the Order to Show Cause entered on March 8, 2024 [ECF No. 1769]. In making their motion for dismissal, the Movants would respectfully show the Court as follows:

1. On March 7, 2024, the Movants filed their Joint Motion for Order to Show Cause with Respect to Law Firms that Have Failed to Respond to the Audit Survey Required by Closing Order 4 [ECF No. 1768] (“Motion for Order to Show Cause”). The Motion for Order to Show Cause sought an order requiring 5 law firms that had failed to respond to the court-mandated Audit Survey form to appear before this Court and show cause why they should not be held in contempt for their failure to provide a response to the Audit Survey form as ordered by this Court on April 1, 2022 in Closing Order 4.

2. On March 8, 2024, the Court entered the Order to Show Cause [ECF No. 1769] commanding 5 law firms, namely: Leesfield & Partners, Morgan &

Morgan, Atkins E.L. and Associates, Young & Parker, and Sidley Austin Brown & Wood to appear in person on March 27, 2024 for a hearing. Recognizing that the primary goal of the show cause proceedings was to obtain compliance with the Audit Survey requirement, the Court's order permitted the law firms to submit a completed Audit Survey Form to the SF-DCT by March 22, 2024 in lieu of appearing in person at the show cause hearing. Further, the Order to Show Cause directed the Finance Committee to mail a copy of the Order, a copy of the Motion for Order to Show Cause and the Audit Survey form to each of the 5 law firms and to request dismissal of orders to show cause pertaining law firms who provided a response to the Audit Survey in advance of the show cause hearing.

3. Since the Order to Show Cause issued, the SF-DCT has received completed Audit Surveys from Leesfield & Partners, Morgan & Morgan, Young & Parker and Sidley Austin Brown & Wood. Because these firms have now complied with Closing Order 4's Audit Survey requirement, the Movants request that the Court dismiss the Order to Show Cause with prejudice as it pertains to these firms.

4. The Finance Committee has been unable to confirm delivery to Atkins E. L. and Associates of the Order to Show Cause, Motion for Order to Show Cause, and Audit Survey Form. As directed in the Order to Show Cause, on March 11, 2024, the Finance Committee caused the SF-DCT to mail the aforementioned items to Atkins E.L. and Associates via FedEx with signature-required delivery

confirmation. As of the date of this motion, FedEx has been unable to deliver the SF-DCT's mailing to Atkins E.L. and Associates. The address on file with the SF-DCT for Atkins E.L. and Associates is a private residence. Because the Finance Committee has been unable to serve Atkins E.L. and Associates with the Order to Show Cause and supporting documentation, the Movants request that Court dismiss the Order to Show Cause without prejudice as it pertains to this firm. Should the SF-DCT confirm a viable address for Atkins E.L. and Associates at a later date, Movants wish to reserve their right to re-urge their motion.

### **CONCLUSION**

For the foregoing reasons, the Movants respectfully requests: 1) the Court dismiss with prejudice the Order to Show Cause as it pertains to the Leesfield & Partners, Morgan & Morgan, Young & Parker and Sidley Austin Brown & Wood; 2) the Court dismiss without prejudice the Order to Show Cause as it pertains to Atkins E.L. and Associates; and 3) that the Court cancel the show cause hearing scheduled for March 27, 2024.

Dated: March 26, 2024

Respectfully submitted,

/s/ Karima Maloney

Karima Maloney  
STEPTOE LLP  
717 Texas Avenue  
Suite 2800  
Houston, TX 77002  
Telephone: (713) 221-2382  
[kmaloney@steptoe.com](mailto:kmaloney@steptoe.com)  
*Counsel for Finance Committee*

/s/ Deborah E. Greenspan

Deborah E. Greenspan  
BLANK ROME LLP  
Michigan Bar #P33632  
1825 Eye Street, N.W.  
Washington DC 20006  
Telephone: (202) 420-2200  
[Deborah.Greenspan@blankrome.com](mailto:Deborah.Greenspan@blankrome.com)  
*Debtor's Representative and Attorney for  
Dow Silicones Corporation*

/s/ Ernest H. Hornsby

Ernest H. Hornsby  
FARMER PRICE LLP  
100 Adris Place  
Dothan, AL 36303  
Telephone: (334) 793-2424  
[Ernie@farmerprice.com](mailto:Ernie@farmerprice.com)  
*Claimants' Advisory Committee*

/s/ Dianna L. Pendleton-Dominguez

Dianna L. Pendleton-Dominguez  
LAW OFFICE OF  
DIANNA PENDLETON  
401 N. Main Street  
St. Marys, OH 45885  
Telephone: (419) 394-0717  
[DPend440@aol.com](mailto:DPend440@aol.com)  
*Claimants' Advisory Committee*

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 26, 2024, I electronically filed the foregoing document with the Clerk of the Court using the ECF System.

Dated March 26, 2024

Respectfully submitted,

*/s/ Karima Maloney*

STEPTOE LLP

Texas Bar No. 24041383

(E.D. Mich. Admitted)

717 Texas Ave, Suite 2800

Houston, Texas 77002

Telephone: (713) 221-2382

[kmaloney@steptoe.com](mailto:kmaloney@steptoe.com)

*Counsel for Finance Committee*