

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

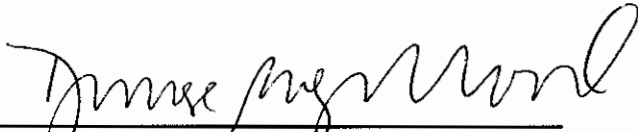
F I L E D
MAY 23 2005
CLERK'S OFFICE
DETROIT

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

**AGREED ORDER ADOPTING ADDITIONAL Q&A'S PURSUANT TO
ARTICLE IX OF ANNEX A, THE CLAIMS RESOLUTION PROCEDURES**

On July 22, 2004, the Court entered an Order adopting certain Questions & Answers ("Q&A's") on allowable attorney's fees and expenses in the Settlement Option pursuant to Article IX of Annex A, the Claims Resolution Procedures. The Court, having consulted with the Claimants' Advisory Committee and Debtor's Representatives about additional clarifying Q&A's on allowable attorney's fees and expenses, hereby adopts the Q&A's as provided in Exhibit 1 attached to this Agreed Order.

Date: MAY 23 2005



DENISE PAGE HOOD
United States District Judge

AGREED TO BY:
FOR DOW CORNING CORPORATION

FOR THE CLAIMANTS' ADVISORY
COMMITTEE


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EXHIBIT 1 TO AGREED ORDER

Q8. I am an attorney representing many settling Dow Corning breast implant claimants. Do I have to pay any part of my attorney's fees from Settlement Option payments to the Common Benefit Fund in MDL 926?

A8. No, you do not.

Q9. I am an attorney who represents a claimant who has had both a Bristol and a Dow Corning silicone gel breast implant. My client opted out of the Revised Settlement Program and settled her claim directly with Bristol. She now qualifies for disease compensation in the Settlement Option and will be paid 50% of the eligible award for her Dow Corning breast implant. When I calculate the attorney's fees, can I aggregate the amount of the Bristol settlement with the 50% reduced compensation amount received in the Settlement Option? In other words, if my client received \$100,000 from Bristol and now receives \$10,000 from the Settlement Option, are attorney's fees determined based on a total recovery of \$110,000?

A. Yes, you can aggregate the amount received in both settlements for purposes of calculating the attorney fees to be applied to the Dow Corning settlement benefit, BUT ONLY IF (1) you or your firm represented the claimant at the time she opted out of the RSP and you or your firm obtained the settlement for the claimant, and (2) the settlement amount paid for the claimant's MDL/RSP opt out settlement was reduced because the claimant also had a Dow Corning Implant.

In the above example, if the two criteria are met the attorney fees on the Dow Corning settlement benefit of \$10,000 would be a maximum of 30% of the \$10,000 benefit.

Q10. My attorney refuses to apply the attorney fees limits set out in Section 9.01 of Annex A, the Claims Resolution Procedures. What can I do?

A10. You should contact your local bar association for assistance and/or send a letter to the United States District Court for the Eastern District of Michigan to seek further clarification.

Q11. Can I calculate my attorney's fees based on the Premium Payment amounts?

A11. No, not at this time. If and when Premium Payments are authorized, then you can deduct allowable attorneys' fees and expense at that time.