

CLAIMANTS' ADVISORY COMMITTEE

In re: Dow Corning Corporation, Reorganized Debtor.

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By E-Mail and Fax To 713-951-9427

May 10, 2006

Jean M. Eliason
Claims Administrator
MDL 926 Claims Office
P.O. Box 56666
Houston, TX 77256

Re: Comments of the Claimants' Advisory Committee to
Proposed Supplemental Questions and Answers About
Fixed Amount Benefit Schedule Related to
Disability/Compensation Level A

Dear Jean,

The Claimants' Advisory Committee in the Dow Corning bankruptcy proceedings submits the following comments to the proposed Supplemental Questions and Answers About Fixed Amount Benefit Schedule Related to Disability / Compensation Level A. We must begin by first reiterating our strongly held position that "A" level claims in the Fixed Amount Benefit Schedule should be processed using the word "or" as written in the definition, consistent with the way the "A" disability level was interpreted and applied to RSP claims from 1996 - 1997. Second, we also reiterate our position that the Order dated September 30, 1997 in a

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claimant and fact-specific appeal of RSP benefits did not change the disability criteria for Level "A" claims. We believe it was likely based on an incorrect understanding of how "A" level claims were being processed by the MDL 926 Claims Office at that time.

With regard to Q2-12, Q2-13 and Q2-14, we submit that:

1. The proposed answers do not adequately and affirmatively disclose that the disability criteria has been changed from "or" to "and." In particular, Q2-9 still includes the "or" definition in the answer. We believe that this will likely result in continuing confusion about what current standard the Claims Office is applying. We believe it would be appropriate for the Claims Office to describe the evolution of the Disability "A" definition so that claimants fully understand why the Claims Office is now applying the "and" standard to Level A claims instead of the "or" standard that was applied in 1996 -1997.
2. The application of the "and" standard effectively negates the inclusion of the word "vocation" in the definition and results in a disability standard based solely on self-care. This is particularly true where vocational disability is inferred solely by the description of a claimant's self-care disability. We do not believe that this was intended by those persons who negotiated the language in Disability A.
3. The answers to Q2-12 through Q2-14 are vague and do not provide sufficient guidance about what a claimant must do to submit a disability statement for Level "A" that would be acceptable. We would urge greater disclosure of the type of language needed in a disability statement regarding self-care that the Claims Office would find acceptable for inferring and then determining vocational disability, and vice versa.

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We would be happy to supply a copy of motions and attachments that the CAC submitted to Honorable Denise Page Hood in support for our pending Motion For Disclosure of Substantive Criteria Created, Adopted And/Or Being Applied By The Settlement Facility. A copy is also available on the CAC website (www.tortcomm.org) under "Pending Motions."

Sincerely,

On Behalf of the CAC

A handwritten signature in black ink that reads "Dianna Pendleton-Dominguez". The signature is written in a cursive, flowing style.

Ernest Hornsby
Dianna Pendleton-Dominguez

cc: Leslie Bryan