

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

DOW CORNING CORPORATION,

REORGANIZED DEBTOR.

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Case No.: 00-CV-0005-DT
(Settlement Facility Matters)

Hon. Denise Page Hood

**STATEMENT OF THE CLAIMS ADMINISTRATOR
OF THE SETTLEMENT FACILITY-DOW CORNING TRUST
REGARDING THE MOTION OF KOREAN CLAIMANTS**

TO THE HONORABLE DENISE PAGE HOOD,
UNITED STATES DISTRICT JUDGE:

Elizabeth W. Trachte-Huber, the Claims Administrator of the Settlement Facility-Dow Corning Trust ("Claims Administrator") files this Statement in connection with the motion filed on behalf of the Korean Claimants seeking to compel the Settlement Facility-Dow Corning Trust ("SF-DCT") to hire a medical doctor (either in the United States or Korea) to conduct disease evaluations of Korean Claimants at the expense of the Settlement Fund ("Motion"), and to the responses thereto filed by the Claimants' Advisory Committee ("CAC") and the Debtor's Representative ("DR"); in support thereof, the Claims Administrator respectfully represents as follows:

1. The Claims Administrator recommends that the Motion should be denied. The Claims Administrator's conclusion, based on a careful review of the relevant materials, is that the Plan Documents do not authorize the SF-DCT to retain a Qualified Medical Doctor ("QMD") either in the United States or in Korea under the circumstances set forth in the Motion. Further, the Claims Administrator concludes, for the reasons set forth in Paragraph 5 of the Response of the DR with respect to the interpretation of Section 5.04(b) of the Settlement Facility Agreement, that the Motion does not raise any facts or circumstances which fit into Section 5.04.

2. The Claims Administrator submits that the Motion should be denied solely on legal grounds: the Plan Documents do not authorize the relief sought by the Motion. However, should this Court find that Plan Documents do authorize the relief sought by the Motion, then the Claims Administrator submits that the facts will demonstrate that no agreement was ever made between the Claims Administrator and the Korean Claimants' representative.

3. By way of background, this Court should be aware that Mr. Kim has been active in the breast implant litigation on behalf of the Korean Claimants for over a decade. Mr. Kim submitted Claims on behalf of Korean Claimants in the MDL-926 and continues the representation under the Plan Documents. Mr. Kim has been very active in this case -- so much so that he appealed this Court's order dated July 17, 2003 with respect to the authorization for independent processing in Australia for Australian Claimants.

4. Many of Mr. Kim's Claimants' Claims had been deemed unreliable in the MDL-926 based upon doctor qualifications. Mr. Kim appears to assume that since some of the Korean Claimants' Claims had been deemed unreliable in the MDL-926, they would be deemed unreliable by the SF-DCT. Rather than find qualified QMDs, it appears that Mr. Kim concluded that the SF-DCT should find and pay for QMDs for the Korean Claimants. Mr. Kim was advised on many occasions that he must file his participation forms (prior to the Effective Date) and other necessary claim forms, which would be reviewed before a determination could be made as to whether the physicians associated with the claims could be deemed unreliable. Mr. Kim also believes that many of his Claimants will have problems with the Proof of Manufacture requirements.

5. At some point, in the Spring or early Summer of 2004, Mr. Kim proposed terms of settlement through Dianna Pendleton-Dominquez, a member of the CAC, in an effort to try to negotiate a resolution of his issues. Mr. Kim sought to get the CAC and Dow Corning Corp. to agree to have the SF-DCT find QMDs for the Korean Claimants, to have the Settlement Fund pay

for Korean Claimants' medical examinations, and to fashion separate and distinct Proof of Manufacture requirements for the Korean Claimants. As early as July 6, 2004, Mr. Kim e-mailed the Claims Administrator advising her that he sought to resolve the QMD and Proof of Manufacturing issues through Ms. Pendleton-Dominquez. In exchange for withdrawing the appeal of the Australian processing order, Mr. Kim proposed that the SF-DCT pay for his Claimants' medical reviews, and apply different Proof of Manufacturing standards than required by the Plan. These proposals were not acceptable to Dow Corning as they are not authorized by the Plan. A copy of Mr. Kim's July 6, 2004 e-mail detailing the foregoing facts is annexed as Exhibit "A" hereto.

6. In response to some additional demands made by Mr. Kim, Ms. Pendleton-Dominquez stated that "... he just never gets it - - and everything is always a negotiation with him." See e-mail dated July 16, 2004, annexed as Exhibit "B" hereto.

7. On August 3, 2004, the Claims Administrator advised Mr. Kim by e-mail that clear Proof of Manufacture requirements are set forth in the Settlement Facility and Fund Distribution Agreement. As to the QMD issue, she advised him that:

I have investigated the feasibility of a local QMD IF NEEDED for your claims. (That assumes you do not have a QMD the facility finds acceptable.) You have not submitted any claims so at this time there is not reason to proceed on the QMD project. Once you submit claims and they have acceptable proof of manufacturer we will review for settlement benefits. If necessary we will discuss a QMD ... for exams of claimants.

*Since we have only spoken in hypothetical terms, we need to review your claims before we can proceed. *** We have investigated doctors we might use IF your doctor is found unacceptable after we review the medical records.*

See e-mail dated August 3, 2004, annexed hereto as Exhibit "C" (emphasis in original).

8. On August 4, 2004, the Claims Administrator advised Mr. Kim by e-mail that *since the Plan had gone effective, the SF-DCT could not process his claim without valid*

"Participation Forms." She further advised him that if he wanted his claims reviewed, he needed to submit them in order for them to be processed. Further, she stated:

The research we did on QMD's Korea was only to determine potential costs IF your claims required a re-review or examination. It is premature to discuss costs or identify of those QMD's as we do not have any claims filed by you on your client's behalf.

Mr. Kim, I am required to follow the terms of the Plan. I cannot rewrite the Plan which was negotiated by the parties. Please understand we have worked very hard to assist you and the Plan provides all the options available to you.

See e-mail dated August 4, 2004 annexed hereto as Exhibit "D" (capitals in original, emphasis in bold added).

9. Simultaneous with the exchanges with Mr. Kim, the Claims Administrator sent Ms. Pendleton-Dominquez and Deborah Greenspan, counsel for Dow Corning Corporation and the DR, e-mails advising them of the issues raised by Mr. Kim. Dow Corning responded that "... MR. Kim and his clients have to follow the plan same as everyone else." And, Ms. Pendleton-Dominquez responded: **"Agree. Mr. Kim, like some others we know, just doesn't read or understand the Plan."** See e-mails dated August 4, 2004 annexed hereto as Exhibit "E" (emphasis added).

10. Notwithstanding these clear statements to Mr. Kim as to the requirements for him to submit his claims and Proof of Manufacture so that his Claims could be reviewed, and the agreement of the CAC and DR as to the requirement that the Plan be followed, Mr. Kim continued to seek alternate and better treatment from the Settlement Fund for his Claimants. This is the context in which Mr. Kim came to the United States from Korea to hold a short (about 35 minutes) meeting with the Claims Administrator on September 27, 2004. The meeting was held at the

request of Mr. Kim. Dianna Pendleton-Dominquez agreed to attend on behalf of the CAC. Also in attendance were two SF-DCT employees, one of whom speaks Korean.¹

11. The Claims Administrator anticipated the possibility that the conversation would be misunderstood or purposely misconstrued. The Claims Administrator chose her words with particular care at the meeting to ensure that no misunderstanding could occur, or that arguable representations could be claimed subsequently. Issues discussed at the meeting focused mainly on Mr. Kim's assertion that he had filed Claims which were not received by the SF-DCT, and how to trace those Claims and correct the missing filings. The Claims Administrator told Mr. Kim that the SF-DCT would not pay for QMDs. The sole possible exception would be pursuant to Section 5.04 with respect to quality control. The topic of what might happen *IF* his claims were deemed unreliable, as they had been in the MDL-926, was discussed with Mr. Kim. However, he was first required to file his Claims Form, including a Proof of Manufacture.

12. Following the September 27th meeting, the Claims Administrator again advised Mr. Kim in writing that the CAC and DR would work quickly to provide him information with respect to the required qualifications for QMDs Class 6.2 countries. The Claims Administrator went on to say:

There seems to be some confusion as to the obligation of the Settlement Facility to pay for the examinations of Class 6.2 claimants. Once the CAC/DR provides information to you on the "categories, degrees or certification" qualifying as QMD's in Korea you can finalize your claims including ensuring your claimants are examined by qualified QMD's. **There is not a provision in the Plan that requires the Settlement Facility to pay for these exams. These expenses will be borne by the claimant/attorney.**

See November 15, 2004 e-mail annexed hereto as Exhibit F (emphasis added).

¹ The Claims Administrator and SF-DCT employees are available to testify under oath as to their recollections of the September 27th meeting.

13. The CAC suggests in its Response that an agreement was made between the Claims Administrator and the Korean Claimants' representative at a meeting held at the Settlement Facility on September 27, 2004 to pay for the Korean Claimants' QMDs. This suggestion belies the pre-meeting written communications of the CAC. No such agreement was ever made. The Claims Administrator does not have the authority to enter into such an agreement under the facts and circumstances set forth in the Motion. No oral or written commitment was made. Any discussion with Mr. Kim about such qualification was purely hypothetical and based on a premise that his Claims would be deemed unreliable, as they had been in the past. However, Mr. Kim was always told he would have to submit his Claims first before any such determinations could be made. This continues to be the position of the Claims Administrator.

14. It is also puzzling how Ms. Pendleton-Dominguez can assert she heard commitments and did not object, when she as a Plan drafter fully understands the terms of the Plan and knows the Plan documents have no provisions whatsoever allowing any payment for examinations absent a finding of unreliability. If she heard these commitments, she was silent at the meeting on these matters.

15. The Claims Administrator has made significant efforts to resolve Mr. Kim's Claimants' issues. In order to resolve the QMD issue, the Korean Claimants required the qualifications for a Korean doctor to be a QMD. The Plan provides that the CAC and the DR shall specify the categories, degrees, or certification of doctors that will qualify as QMDs in Class 6.2 countries, such as Korea. The Claims Administrator asked that QMD qualifications be provided to Mr. Kim. This information could not be provided by the SF-DCT but the CAC and DR are in the process of providing the QMD qualifying information. Subsequently, the Claims Administrator sought a Plan Interpretation from the DR and CAC as to whether such would qualify under Section 5.04.

16. To the extent there has been a misunderstanding, the Claims Administrator regrets that lack of clarity. This Court, however, should be fully advised of the history and of Mr. Kim's significant efforts to leapfrog the Plan requirements and cause all his Claimant's Claims to be deemed unreliable so that the Settlement Fund would pay for their QMDs. In any event, the Motion seeks relief that is premature because none of Movants' claims have been denied. The Motion should therefore be denied.

Dated: Detroit, Michigan
February 1, 2005

LEWIS & MUNDAY

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Claims Administrator
Settlement Facility-Dow Corning Trust**

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**Counsel for Elizabeth W. Trachte-Huber
Claims Administrator
Settlement Facility-Dow Corning Trust**

Motion for Admission to be Filed

EXHIBIT A

From: [mailto:yhkimlaw@unitel.co.kr]
Sent: Tuesday, July 06, 2004 9:09 PM
To: Elizabeth W. Trachte-Huber
Subject: Korean Claimants

Dear Wendy,

I am Yeon-Ho Kim for the Korean Claimant. How are you?

I received the Participation Form for Korean Claimants last month. Prior to the receiving it, as you are aware, I appealed the ruling by Judge Hood regarding the Independent Processing in Australia for the Australian Claimants to the Sixth Circuit. This appeal is pending. My colleague, Stephen Weiner, a New York lawyer, and I are waiting for the notice of hearing before the Sixth Circuit.

In the meantime of last month, I proposed three terms for settlement to DCC through Diana Pendleton, which was attached to this e-mail for your reference, for the purpose of participating in the Settlement Option. Those terms for settlement were the terms significantly alleviated from the terms of the last year when Diana and I tried to reach to an agreement but failed, although you assisted us very much.

However, even my new proposal was rejected by DCC. I became to know it via a phone call to Diana last night. Diana did not fully explained what DCC intended. Diana should have informed me of DCC's response sooner.

Since DCC rejected my proposal for settlement regarding the appeal to the Australian Claimants, I have to decide whether I remain in the Settlement Option in the future. The critical issue among three terms of my proposal is whether the Korean Claimants are allowed to have disease evaluations conveniently. The first obstacle for claiming of disease compensation is about the Qualified Medical Doctor. The Second obstacle is about the expenses of the QMD's examination for evaluation. If these issues are resolved, the Korean Claimants are willing to participate in the Settlement Option. Otherwise, they seem to take an opportunity in the Opt-Out, although it requires a delay of payment.

I would like to ask for your opinion about the processing of disease claims by the Korean Claimants. You may appoint or designate the QMD(s) in Korea. If you do, I will make an arrangement for processing of disease evaluations.

When you sum up your idea about disease evaluation of the Korean Claimants, please let me know a date for meeting in Houston as you are convenient. I will fly to Houston. It would be better if you can arrange our meeting schedule from Monday to Wednesday Next Week.

I am looking forward to hearing from you.

Best Regards,

Yeon-Ho Kim

EXHIBIT B

From: DPEND440@aol.com [mailto:DPEND440@aol.com]
Sent: Friday, July 16, 2004 8:16 AM
To: Elizabeth W. Trachte-Huber
Subject: Re: FW: RE: Trip to Korea

I know -- he just never gets it -- and everything is always a negotiation with him. Perhaps the Korean-speaking Claims rep can write to him on your behalf in Korean to avoid any language problems?

In a message dated 7/16/2004 8:12:57 AM Central Standard Time, EWHuber@sfdot.com writes:
It never stops--how can I be delaying if he has not filed claims!??

Elizabeth "Wendy" Trachte-Huber, Esq.
Claims Administrator
Settlement Facility- DCT
(713)874-6099

-----Original Message-----

From: [mailto:yhkimlaw@unitel.co.kr]
Sent: Thursday, July 15, 2004 8:08 PM
To: Elizabeth W. Trachte-Huber
Subject: Re: RE: Trip to Korea

Dear Wendy,

Thank you for your e-mail.

When will you decide on QMDs? I want to know your projected time frame for determination as to QMDs(including the costs).

Please notify it to me as soon as possible. I know that you are gathering information but if you need a help from me, please do not hesitate to ask me for it.

When you finished gathering information and decided QMDs plus the negotiation for the costs by QMDs, I submit the POMs and the Participation form of the whole Korean Claimants immediately.

It appears that you do not have an immediate plan for making a trip to Korea. I hope it does not delay the process of claims.

I am looking forward to hearing from you.

Best Regards,

Yeon-Ho Kim

EXHIBIT C

From: Elizabeth W. Trachte-Huber
Sent: Tuesday, August 03, 2004 8:44 AM
To: "
Cc: Annie O'Brien
Subject: RE: QMD

Mr. Kim:

I have been clear from the beginning. The Settlement Facility and Fund Distribution Agreement has clear proof of manufacturer requirements to be eligible for settlement benefits. I have investigated the feasibility of a local QMD IF NEEDED for your claims. (That assumes you do not have a QMD the facility finds acceptable.) You have not submitted any claims so at this time there is not reason to proceed on the QMD project. Once you submit claims and they have acceptable proof of manufacturer we will review for settlement benefits. If necessary we will discuss a QMD if necessary for exams of claimants.

Since we have only spoken in hypothetical terms, we need to review your claims before we can proceed. It is up to you when you file your claims. Do you have a proposed QMD for our consideration? We need the doctor's name. We have investigated doctors we might use IF your doctor is found unacceptable after we review the medical records.

We look forward to receiving your claims as well as Participation Forms.

Elizabeth "Wendy" Trachte-Huber, Esq.
Claims Administrator
Settlement Facility- DCT
(713)874-6099

-----Original Message-----

From: [mailto:yhkimlaw@unitel.co.kr]
Sent: Tuesday, August 03, 2004 4:38 AM
To: Elizabeth W. Trachte-Huber
Subject: QMD

Dear Wendy,

I understood that you were making a decision on the Qualified Medical Doctor. The QMD is critical for the Korean claimants to participate in the Settlement. Upon your deciding on the QMD, I can send claimants to him to examine a disease evaluation, whose costs should be covered by the Settlement Facility. And then, it will eventually speed up the process and ultimately benefit the claimants. You will not lose any single claimant to the Litigation. I think it is the best option for the Korean claimants.

I wonder when you issue a decision on it. Did you have any development? Can you give me the deadline by which I should wait for?

I am looking forward to hearing from you very soon.

Best Regards,

Yeon-Ho Kim

EXHIBIT D

From: Elizabeth W. Trachte-Huber
Sent: Wednesday, August 04, 2004 8:56 AM
To: "
Cc: Annie O'Brien; Lucy Malone
Subject: RE: QMD

Mr. Kim:

Now that we have an effective date, we are not processing claims without a valid Participation Form. If you wish to submit your claims, we would be pleased to process them. As of July 16 there are 304 class 6.2 claimants currently being reviewed so your claims will be reviewed in the order they are received.

The research we did on QMD's in Korea was only to determine potential costs IF your claims required a re-review or examination. It is premature to discuss costs or identity of those QMD's as we do not have any claims filed by you on your client's behalf.

Mr. Kim, I am required to follow the terms of the Plan. I cannot rewrite the Plan which was negotiated by the parties. Please understand we have worked very hard to assist you and the Plan provides all the options available to you.

Elizabeth "Wendy" Trachte-Huber, Esq.
Claims Administrator
Settlement Facility- DCT
(713)874-6099

-----Original Message-----

From: [mailto:yhkimlaw@unitel.co.kr]
Sent: Tuesday, August 03, 2004 9:00 PM
To: Elizabeth W. Trachte-Huber
Subject: QMD

Dear Wendy,

Please send me the list of doctors for the QMD purpose you investigated. I want to talk to them first and discuss about disease evaluation criteria. Please also send me your acceptable range of costs for evaluation as acceptable.

The reason I talk to you is because I will file the participation form and I want to speed up the process by avoiding hectic scrambles in the administration of claims. If you and I tie up the process economically, the Settlement Facility can save the administrative costs and more than a thousand claimants of Korea can be benefited from your advanced decision on QMD.

Your position, "File first, Talk about QMD later", is the one very difficult for me to persuade hardliner claimants because they know from 926 Claims Office experiences that their diagnosis was rejected due to QMD. If opinions among claimants were diverted, I will have a hardness to wrap them up and to finish claims.

Is there any problem that you let me know your investigation results about QMD in Korea prior to filing the Participation form?

I am looking forward to hearing from you.

Best Regards,

Yeon-Ho Kim

EXHIBIT E

From: DPEND440@aol.com [mailto:DPEND440@aol.com]
Sent: Wednesday, August 04, 2004 9:10 AM
To: Elizabeth W. Trachte-Huber; Deborah@thefeinberggroup.com
Subject: Re: Fw: QMD

Agree. Mr. Kim, like some others we know, just doesn't read or understand the Plan.

Dianna

In a message dated 8/4/2004 9:02:55 AM Central Standard Time, EWHuber@sfdct.com writes:
He knows that-- we have tried to demonstrate our great "user friendly" organization but cannot seem to understand RULES SO just letting you both know-- he has been told-- time to file claims with Participation Forms before we can discuss these later measures. (May be another "perception" problem but you two know reality.)

Elizabeth "Wendy" Trachte-Huber, Esq.
Claims Administrator
Settlement Facility- DCT
(713)874-6099

-----Original Message-----

From: Debby Greenspan [mailto:Deborah@thefeinberggroup.com]
Sent: Wednesday, August 04, 2004 8:43 AM
To: DPendleton@blizzardlaw.com; Elizabeth W. Trachte-Huber
Subject: Re: Fw: QMD

I am not sure what this is all about - but MR. Kim and his clients have to follow the plan same as everyone else.

Debby Greenspan
The Feinberg Group, LLP
1120 20th Street, N.W.
Suite 740 South
Washington, DC 20036
(Direct: 202-962-9283; Fax: 202-962-9290)

>>> "Elizabeth W. Trachte-Huber" <EWHuber@sfdct.com> 08/04/04 06:48AM
>>>

I am trying to "do my part" but based on small sample....proof is first major obstacle so this entire request continues to be premature. Mr. Kim did not use the pre ED processing option SO we need participation form to proceed. I do have results of research on possible QMD (if necessary) for Korean claimants. VERY expensive. Can discuss further on 11th.

-----Original Message-----

From: yhkimlaw@unitel.co.kr
To: Elizabeth Trachte-Huber
ReplyTo: yhkimlaw@unitel.co.kr
Sent: Aug 3, 2004 8:59 PM
Subject: QMD

Dear Wendy,

Please send me the list of doctors for the QMD purpose you investigated. I want to talk

to them first and discuss about disease evaluation criteria. Please also send me your acceptable range of costs for evaluation as acceptable.

The reason I talk to you is because I will file the participation form and I want to speed up the process by avoiding hectic scrambles in the administration of claims. If you and I tie up the process economically, the Settlement Facility can save the administrative costs and more than a thousand claimants of Korea can be benefited from your advanced decision on QMD.

Your position, "File first, Talk about QMD later", is the one very difficult for me to persuade hardliner claimants because they know from 926 Claims Office experiences that their diagnosis was rejected due to QMD. If opinions among claimants were diverted, I will have a hardness to wrap them up and to finish claims.

Is there any problem that you let me know your investigation results about QMD in Korea prior to filing the Participation form?

I am looking forward to hearing from you.

Best Regards.

Yeon-Ho Kim

Elizabeth W. Trachte-Huber, Esq.
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Cellular (713)291-7195

EXHIBIT F

From: Elizabeth W. Trachte-Huber
Sent: Monday, November 15, 2004 7:09 AM
To: "
Cc: Michael Ingram; Info; Annie O'Brien; Lucy Malone; Sybill Goldrich; Debby Greenspan (dgreenspan@thefeinberggroup.com); Dianna Pendleton (DPendleton@blizzardlaw.com); Edward W. Rich (ewrich@dow.com); Ernie Hornsby; Jeanne Dodd; Jill Schultz; marcus.worsley@dowcorning.com; Elizabeth W. Trachte-Huber
Subject: RE: RE: Request

Mr. Kim:

I apologize for any confusion over the qualifications for QMD's in Class 6.2 countries. As you recall Ms. Pendleton-Dominguez has attended each of our meetings and perhaps we were not clear about the Plan requirements. This provision has been included in the Plan throughout our discussions. Obviously Ms. Pendleton-Dominguez has been aware of the Plan requirements, too. I am confident the CAC/DR will work quickly to provide this information both to attorneys/ claimants as well as the Claims Office. (Mr. Ingram assists us in determining certification systems for foreign countries equivalent to U.S. Board certification but in the case of Class 6.2 this decision rests with the CAC/DR.)

There seems to be some confusion as to the obligation of the Settlement Facility to pay for the examinations of Class 6.2 claimants. Once the CAC/DR provides information to you on the "categories, degrees or certification" qualifying as QMD's in Korea you can finalize your claims including ensuring your claimants are examined by qualified QMD's. There is not a provision in the Plan that requires the Settlement Facility to pay for these exams. These expenses will be borne by the claimant/ attorney.

Hope this clarifies your questions. As soon as we receive information from the CAC/DR we will contact you.

Elizabeth "Wendy" Trachte-Huber, Esq.
Claims Administrator
Settlement Facility- DCT
(713)874-6099

-----Original Message-----

From: [mailto:yhkimlaw@unitel.co.kr]
Sent: Friday, November 12, 2004 9:55 PM
To: Elizabeth W. Trachte-Huber
Subject: Re: RE: Request

Dear Wendy,

Thank you for your e-mail.

As to QMD, I understood during the meeting last September that you instructed your employee, Mike(if I heard his name correctly), to research a possible candidate of QMD of Korea. In your e-mail, though, you said that you forwarded my request to the Advisory Committee and the Debtor's representative by quoting the phrase of the Annex A of Schedule as to Class 6.2. Is there a progress so far about my request made on last September? Do you proceed the research of QMD besides, or do you just hold it? Please explain me how far you went for it. I will appreciate it to you enormously.

Because QMD was not chosen by DCSFT yet, I could not file a disease claim forms of those under proof examination. To prompt the process, I want you to pick QMD(s) up as quickly as possible.

I am looking forward to hearing from you.

Best Regards,

Yeon-Ho Kim

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

DOW CORNING CORPORATION,
REORGANIZED DEBTOR.

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Case No.: 00-CV-0005-DT
(Settlement Facility Matters)

Hon. Denise Page Hood

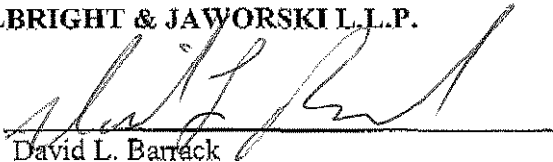
CERTIFICATE OF SERVICE

I hereby certify that on February 1, 2005, a true and correct copy of the below listed pleading was served via e-mail or telecopy upon the parties listed below:

STATEMENT OF THE CLAIMS ADMINISTRATOR OF THE SETTLEMENT FACILITY
-DOW CORNING TRUST REGARDING THE MOTION OF KOREAN CLAIMANTS

FULBRIGHT & JAWORSKI L.L.P.

By:



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E-Mail: j.d.dodd@dowcorning.com

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Represents: Claimants' Advisory Committee

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Represents: Debtor's Representative

Strauch Weiss, Laurie

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