

**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-00005-DT
(Settlement Facility Matters)**

Hon. Denise Page Hood

**DOW CORNING’S OPPOSITION TO MOTION FOR REVERSAL
OF DECISION OF SFDCT REGARDING KOREAN CLAIMANTS**

For the reasons set forth more fully in the Memorandum in Support of Dow Corning’s Cross-Motion to Dismiss the Korean Claimants’ Appeal (styled as a Motion for Reversal of Decision of SFDCT Regarding Korean Claimants (the “Motion for Reversal”)), filed contemporaneously herewith, Dow Corning Corporation (“Dow Corning”) opposes the Korean Claimants’ Motion for Reversal and respectfully submits that the Motion for Reversal must be denied. The Korean Claimants seek relief from an adverse decision of the Claims Administrator. Because the Motion for Reversal is nothing more than an appeal from an adverse claims decision by the Settlement Facility-Dow Corning Trust (“SF-DCT”), the appeal must be denied under the clear provisions of the Amended Joint Plan of Reorganization (the “Plan”), the Settlement Facility and Fund Distribution Agreement, Annex A, Section 8.05, and Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). Under the Plan, there is no right of appeal from adverse claims decisions. The Court, accordingly, lacks jurisdiction over the Korean Claimants’ challenge, and the Motion for Reversal must be denied.

Dated: October 13, 2011

Respectfully submitted,

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

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CASE NO. 00-CV-00005-DT
(Settlement Facility Matters)

Hon. Denise Page Hood

**PROPOSED ORDER OF DOW CORNING
CORPORATION DENYING MOTION FOR REVERSAL OF
DECISION OF SFDCT REGARDING KOREAN CLAIMANTS**

The Court has considered Dow Corning Corporation’s Opposition to Motion for Reversal of Decision of SFDCT Regarding Korean Claimants (docket no. 810, the “Motion for Reversal”), and the Court finds and concludes that the Korean Claimants’ Motion for Reversal lacks merit and should be denied with prejudice.

ACCORDINGLY, it is hereby ORDERED that the Motion for Reversal is DENIED with prejudice.

Dated: _____

DENISE PAGE HOOD
United States District Judge

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE: § CASE NO. 00-CV-00005-DT
§ (Settlement Facility Matters)
DOW CORNING CORPORATION, §
§ HON. DENISE PAGE HOOD
REORGANIZED DEBTOR §

CERTIFICATE OF SERVICE

I hereby certify that on October 13, 2011 true and correct copies of the following were served via electronic mail or first-class mail upon the parties listed below:

**DOW CORNING'S OPPOSITION TO MOTION FOR REVERSAL
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