

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:	§	CASE NO. 00-CV-00005-DT
DOW CORNING CORPORATION,	§	(Settlement Facility Matters)
	§	And Case Nos. Related to Attached Claims
Reorganized Debtor	§	Honorable Denise Page Hood

**SCHEDULING ORDER NO. 2 REGARDING
CERTAIN DISPUTED LATE CLAIM REQUESTS (GROUP 3)**

On January 19, 2006, the Court issued an Order approving certain Procedures for Determining Status of Late Claimants and Late Claim Requests (the "Procedures"). On September 29, 2006, Dow Corning Corporation and the Debtor's Representatives ("Dow Corning") and the Claimants Advisory Committee (the "CAC") (collectively, the "Movants") filed a Third Notice of Disputed Late Claim Requests and Proposed Scheduling Orders (the "Third Notice"), which identified for the Court certain Late Claim Requests that are in the Disputed Cause category under the Procedures. The Movants sent the Third Notice to all of the late claimants ("Late Claimants") (and to their counsel, if known to the Movants) whose Late Claim Requests are in such category and remain in dispute (the "Disputed Requests"). The Late Claimants are listed on Exhibit 1 attached hereto. This Order shall govern further proceedings on the Disputed Requests through the Initial Status Conference described in paragraph 5 below.

1. **Objections:** FEBRUARY 16, 2007 is the deadline for the Movants to file Objections to the Disputed Requests and to send the Objections to the Late Claimants (and their counsel, if known to the Movants). With each Objection, the objecting party shall also serve a notice ("Notice") informing the Late Claimants of the deadline for written Responses to be received by the Court, as described in paragraph 2 below. The Notice will also inform the Late Claimants of the date, time and location of the Initial Status Conference described in paragraph 5 below.

2. **Responses:** MARCH 23, 2007 is the deadline for a Late Claimant to file

a written Response to the Objection related to her/his Disputed Request.¹ **The Response must be received by the Court no later than March 23, 2007 at the following address:**

U.S. District Court
Dow Corning Litigation Unit
231 W. Lafayette
Detroit, MI 48226

Late Claimants must file their Responses on the form attached hereto as **Exhibit 2**. The Response must state in writing why the Late Claimant does not agree with the Objection and any additional reasons for lateness that the Late Claimant has not previously told the Court in writing. A Late Claimant or her/his counsel may file a legal memorandum in addition to a Response, but any such memorandum must be received by the Court at the foregoing address no later than March 23, 2007.

3. **Failure to File a Response:** If the Court does not receive a Response from a Late Claimant by March 23, 2007, either of the Movants will file a document with the Court stating that no Response was received. A copy of that document will be sent to the Late Claimant in question and to the Movants. Based on this document, the Court may deny the relevant Disputed Request with prejudice (that is, the Court may permanently rule that the Late Claimant cannot participate in the Dow Corning settlement program) without further notice or a hearing, or the Court may set a status conference for further proceedings.

4. **Replies:** APRIL 20, 2007 is the deadline for Dow Corning and/or the CAC to file a Reply to any Response.

5. **Initial Status Conference; Initial Status Report; Scheduling Orders:** The Court will hold an Initial Status Conference on the Disputed Requests on JUNE 7, 2007 at 9:00 a.m. in the courtroom of Judge Denise Page Hood, located on the second floor of the Theodore Levin United States Courthouse, 231 W. Lafayette Blvd., Detroit, Michigan. No later than MAY 24, 2007, the Movants shall file and send to the Late Claimants (and their counsel, if known to the Movants) an initial status report containing the following information: (a) the date the Objection was filed and

¹The CAC may file a response to an Objection, and Dow Corning reserves all rights with respect to any such response.

sent to the Late Claimants or their counsel, (b) the identity of the Late Claimants who filed a Response and those who did not, (c) recommended scheduling orders, and (d) any other information or recommendation that may be helpful to the Court.

No later than **MAY 24, 2007**, the Movants shall send proposed scheduling orders to the Late Claimants (and their counsel, if known to the Movants). The proposed scheduling orders may set discovery deadlines and the date for a final hearing on each Objection. *A Late Claimant, or counsel for a Late Claimant, is not required to attend the Initial Status Conference if she/he consents to the proposed scheduling order for her/his Disputed Request.*

6. **Final Hearing Dates**. Final hearing dates with respect to the Disputed Requests will be determined at the Initial Status Conference and set forth in scheduling orders that will be served on all parties.

Dated: January 19, 2007

/s/ Denise Page Hood
Denise Page Hood
United States District Judge

EXHIBIT 1

**Late Claimants in Disputed Cause
Category (Group 3)**

<u>Last Name</u>	<u>First Name</u>	<u>Letter#</u>	<u>Case #</u>
Alexander	Anne	A625	06-14583
Anderson	Janet	A614	06-14584
Artress	Karen	A575	06-14585
Babcock	Deborah	A831	06-14586
Balinton	Loretta	A546	06-14587
Baldwin	Susan	A588	06-14588
Barnes	Susan	A656	06-14590
Bartlett	DeMaris	A532	06-14591
Bauer	Brenda	A643	06-14592
Bell	Kathy	A658	06-14593
Bell	Katie	A555	06-14594
Bishop	Kimberly	A612	06-14595
Bishop	Rayma	A556	06-14596
Bohling	Donna	A646	06-14597
Borges	Maria	A545	06-14598
Bowman	Kimberly	A848	06-14599
Boyd	Lucille	A613	06-14600
Boyett	Melanie	A835	06-14601
Bridges	Carolyn	A591	06-14602
Britton	Laura	A603	06-14604
Burns	Jan	A616	06-14607
Burstedde	Hannelore	A544	06-14608
Butland	Catherine	A537	06-14609
Campbell	Shella	A837	06-14610
Campos Martins	Ana Maria	A662	06-14611
Carroll	Rachael	A647	06-14613
Cheek	Jacquelyn	A604	06-14614
Chriss	Kristie	A595	06-14615
Christensen	Karen	A791	06-14616
Cline	Linda	A846	06-14617
Collins	Rosalie	A805	06-14618
Comalli	Sandra	A576	06-14619
Conrad	Candace	A821	06-14620
Crawford	Sheryl	A838	06-14621
Dalton	Inez	A806	06-14622
Dearing	Kathi	A562	06-14623
Diaz-Clark	Mayling	A823	06-14624
Dixon	Jody	A632	06-14625
Douglas	Cher	A564	06-14626
Duarte	Lorie	A779	06-14627
Duncan	Stacy	A790	06-14628
Edwards	Deborah	A549	06-14629
Ekart	Debra	A534	06-14630
Erikson	Paula	A844	06-14631
Fastaia	Alba	A519	06-14632
Fitzgerald	Margaret	A619	06-14633
Flanery	Julie	A828	06-14634
Fleming	Robbye	A803	06-14635
Flores	Caroline	A807	06-14636
Francklyn	Victoria	A617	06-14637
Freeman	Melissa	A785	06-14638
Gilbert	Yvonne	A653	06-14639
Gilliam	Josanne	A815	06-14640
Goeders	Jonita	A648	06-14641
Goetz	Kathryn	A520	06-14642
Gray	Debbi	A820	06-14644
Gregg	Barbara	A571	06-14645
Grillmeier	Tina	A777	06-14646
Hagstrand	Ann Marie	A817	06-14647
Halivopoulos	Lisa	A802	06-14648
Hall	Vickie	A816	06-14649
Hanson	Denise	A642	06-14650

Harris	Susan	A843	06-14651
Haskell	Patricia	A602	06-14652
Hetrick	Denise	A605	06-14653
Higgins	Denise	A622	06-14654
Hofberg	Helen	A799	06-14655
Horowitz	Suzanne	A610	06-14656
Jack	Janet	A608	06-14657
Jensen	Rae	A851	06-14658
Johnson	Lawanda	A651	06-14659
Johnson	Linda	A811	06-14660
Johnson	Shirley	A784	06-14661
Johnson	Tippi	A633	06-14662
Jones	Debra	A634	06-14663
Kaiser	Pamela	A853	06-14664
Kincaid	Linda	A788	06-14665
Koch	Teri	A567	06-14666
Kosik	Theresa	A830	06-14667
Labry	Nancy	A606	06-14668
Lang	Connie	A645	06-14669
Larabee	Joann	A554	06-14670
Lawrence	Melanie	A826	06-14671
LeGere	Janet	A626	06-14672
Leon	Lita	A512	06-14673
Liakos	Constance	A814	06-14674
Line	Tosca	A559	06-14675
Litchfield	Karin	A525	06-14676
Little	Carol	A611	06-14677
Luckett	Charlotte	A598	06-14678
Mardis	Linda	A536	06-14679
Martinez	Karen	A548	06-14680
Maslar	Christina	A624	06-14681
Matevia	Stephanie	A836	06-14682
Mathews	Linda	A607	06-14683
Mayer	Maria	A629	06-14684
Mayerhofer	Irene	A655	06-14685
McAfee	Pamela	A801	06-14686
McAferly	Marna	A563	06-14687
McAll	Mary	A772	06-14688
McCarty	Marisa	A649	06-14689
McWhorter	Dianne	A852	06-14690
Miller	Nancy	A627	06-14691
Moore	Brenda	A847	06-14692
Moore	Janis	A787	06-14693
Mottier	Amy	A644	06-14694
Mueller	Alicia	A557	06-14695
Murley	Linda	A827	06-14696
Niedbalski	Suzanne	A794	06-14697
Paley	Brewster	A770	06-14698
Paonessa	Patricia	A621	06-14699
Peacock	Linda	A553	06-14700
Pennington	Rebecca	A782	06-14701
Pepper	Melissa	A541	06-14702
Pessl	Shirley	A859	06-14703
Peterzen	Marion	A652	06-14704
Petrovich	Lisa	A660	06-14705
Ramsey	Beverly	A810	06-14706
Remme	Pamela	A783	06-14707
Reynolds	Kathleen	A834	06-14708
Reynolds	Kimber	A798	06-14709
Rivera	Christine	A840	06-14710
Robinson	Kate	A597	06-14711
Robison	Pamela	A654	06-14712
Rux	Jolynn	A775	06-14713
Sandeman	Deborah	A594	06-14915
Salas	Olivia	A535	06-14714
Sauve	Catherine	A596	06-14715
Scott	Barbara	A514	06-14716
Scott	Susan	A579	06-14717

Saylor	Cynthia	A578	06-14718
Shekell	Dianne	A639	06-14719
Simpson-Griffin	Wilma	A795	06-14721
Smith	Connie	A580	06-14722
Smith	Mary	A527	06-14723
Soltis	Linda	A599	06-14724
Spadoni	Kathy	A551	06-14725
Stallberg	Starr	A812	06-14726
Stewart	Jennifer	A531	06-14727
Stiffler	Sophia	A615	06-14728
Strykert	Michele	A628	06-14729
Studtmann	Kimberly	A667	06-14730
Sweet	Janet	A540	06-14731
Tapia	Nina	A793	06-14732
Temple	Patricia	A789	06-14733
Tiffin	Debra	A618	06-14734
Tuttle	Karen	A523	06-14735
Walling	Eddi	A669	06-14737
Welsch	Ruth	A780	06-14738
Wickliff	Marilyn	A813	06-14739
Wilgren	Linda	A609	06-14740
Wyngaard	Laurie	A786	06-14741
Zak	Denise	A590	06-14743
Zampino	Angela	A623	06-14744
Zatrine	Angela	A809	06-14745

EXHIBIT 2

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

DOW CORNING CORPORATION,

Reorganized Debtor

)
)
)
)

*Place label with your
case number here*

**RESPONSE TO OBJECTION TO LATE CLAIM REQUEST
(SCHEDULING ORDER NO. 2—GROUP 3)**

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

1. Name of Late Claimant: _____
2. List all prior names you have used since 1991: _____

3. Who manufactured your implant(s): _____

4. What type of implant(s) do you have (breast, hip, knee, etc.): _____

5. Did you file a claim in the original breast implant global settlement (1994) in the MDL-926 case? _____ YES _____ NO

6. State below in detail all reasons you do not agree with the Objection filed to your Late Claim Request and any additional reasons (that you have not previously told the Court in writing) that you did not timely file a claim in the Dow Corning bankruptcy case by the applicable deadline.

² Use additional paper if necessary. You may also attach any documents that you believe support your Late Claim Request.

²The deadline for filing a Proof of Claim in the Dow Corning bankruptcy case was January 15, 1997 (or February 14, 1997 for foreign claimants), although the Bankruptcy Court allowed Proofs of Claim filed by November 30, 1999 to be considered timely. The deadline for submitting a Notice of Intent in the Dow Corning bankruptcy case was August 30, 2004.

