

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

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

**FINANCE COMMITTEE’S MOTION TO VACATE OR DISMISS ORDER
TO SHOW CAUSE WITH RESPECT TO RODNEY A. KLEIN**

The Finance Committee respectfully requests that the Court vacate or dismiss the Order to Show Cause requiring Rodney A. Klein to appear before the Court on June 13, 2019, to show cause why he should not be sanctioned, held in contempt and otherwise required to respond because of his law office’s conduct with respect to \$1,500 in claim payment funds. (Doc. #1510). In support of this motion, the Finance Committee would show the Court as follows:

1. On May 28, 2019, Mr. Klein provided documentation sufficient to establish distribution of the claims funds to the Claimant and to resolve the SF-DCT’s inquiry.

2. Accordingly, the Finance Committee no longer seeks sanctions against Mr. Klein and it is no longer necessary or equitable to proceed with a show cause hearing. *See* Fed. R. Civ. P. 60(b)(6) (“On a motion and upon such terms as are just, the court may relieve a party or his legal representative from a final

judgement, order or proceeding for the following reasons... (6) the judgment has been satisfied, released or discharged, or a prior judgement upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that the judgment should have prospective application.”).

Dated: May 31, 2019.

Respectfully submitted,

SMYSER KAPLAN & VESELKA LLP

/s/ Karima G. Maloney

Karima G. Maloney

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(E.D. Mich. admitted)

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CERTIFICATE OF SERVICE

I hereby certify that on May 31, 2019, the foregoing pleading has been electronically filed with the Clerk of Court using the ECF system which will send notice and copies of the document to all registered counsel in this case. A copy of this motion was also sent via electronic mail to Rodney Klein at rklein@klein-paikoff-law.com.

/s/ Karima G. Maloney _____
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