



## EXHIBIT A

### PROCEDURES FOR DETERMINING STATUS OF LATE CLAIMANTS AND LATE CLAIM REQUESTS

A. Classification of Late Claim Requests

1. The Claimants' Advisory Committee and the Debtor's Representatives (the "Parties") will jointly evaluate all Late Claim Requests and classify them into one of the following categories:

a. **Sufficient Cause:** The Parties agree the late claimant has taken undisputed timely steps to comply with a prescribed deadline but due to circumstances beyond her/his control was unable to file a Notice of Intent or Proof of Claim by any of the relevant deadlines.

b. **Disputed Cause:** The Late Claim Request (a) makes a general request to participate in the Plan but fails to provide sufficient information to evaluate the request on the merits, or (b) alleges some discernible reason(s) for the late filing of a Proof of Claim or a Notice of Intent, and at least one of the Parties contends that such reason(s) do not permit the person's late Proof of Claim or late Notice of Intent to be deemed timely filed.

2. The Parties' duty to review and classify Late Claim Requests is limited to those that the Parties receive directly from the Court (e.g., claimant letters received by the Court and delivered to the Parties or motions filed electronically with the Court and served upon the Parties by electronic mail) and those that the claimant or the claimant's counsel file with or submit to the Court *and* serve upon the Parties by first class mail, postage prepaid, to the following addresses<sup>1</sup>:

Debtor's Representatives  
P.O. Box 7500  
Midland, Michigan 48641-7500

Claimants' Advisory Committee  
P.O. Box 665  
St. Marys, Ohio 45885

3. If the Parties cannot jointly agree that a Late Claim Request shall be placed in the "Sufficient Cause" category, such Late Claim Request shall be classified in the "Disputed Cause" category.

4. The Settlement Facility-Dow Corning Trust ("SF-DCT") is authorized and directed to provide the Parties and each late claimant or her/his counsel with such information in the SF-DCT's possession that is relevant to the review, classification and disposition of Late Claim Requests. To assist the Parties' evaluation of Late Claim Requests, the Parties are authorized to request information and/or documentation from the SF-DCT, the MDL 926 Claims

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<sup>1</sup>In the event a Late Claim Request is erroneously submitted to the SF-DCT rather than the Court, the SF-DCT will forward it to the Court and the Court will send a copy to the Movants under the procedures the Court currently employs to send other Late Claim Requests to the Parties.

Office, the MDL 926 Court, the Bankruptcy Court, Daticon Inc. (but only if the requested information or documentation is unavailable from any of the foregoing sources), and other entities concerning a late claimant's efforts to file a Proof of Claim or Notice of Intent in the Dow Corning bankruptcy case. If a late claimant asserts that she/he timely submitted directly to Dow Corning a Proof of Claim, a Notice of Intent, or other documentation related to a claim in the Dow Corning bankruptcy case and specifically identified by the claimant (e.g., by document type, date of submission, etc.), then upon written request to the Debtor's Representatives at the address provided in paragraph 2 above, Dow Corning will research its records and provide a copy of such Proof of Claim, Notice of Intent, or other documentation, if any, to the requesting claimant or her/his counsel and to the Claimants' Advisory Committee within twenty (20) business days of the Debtor's Representatives' receipt of such request.

5. All persons or entities who receive information about a late claimant pursuant to the preceding paragraph shall maintain the confidentiality of any such information. In any proceedings before the Court involving a Late Claim Request that is classified in the "Disputed Cause" category, any party may submit to the Court any information received pursuant to the preceding paragraph regarding such Late Claim Request. Any such submission shall be made by a notice filed under seal with the Court and served upon the Parties at the addresses provided in paragraph 2 above and the person who submitted such Late Claim Request (or her/his counsel of record, if any).

**B. Procedures for Resolving Late Claim Requests**

1. After the Parties have classified the Late Claim Requests into one of the categories identified in paragraph 1 above, the Late Claim Requests shall be resolved in accordance with the following processes:

a. **Sufficient Cause:** For Late Claim Requests that are classified in the "Sufficient Cause" category, the Parties will periodically submit proposed stipulated orders to the Court that will deem each affected claimant's Proof of Claim or Notice of Intent (depending on the nature of the relevant Late Claim Request) to be deemed timely filed. The Parties will serve the SF-DCT with a copy of each such order entered by the Court and, within ten (10) business days after such service, the SF-DCT shall send each affected claimant (or, as applicable, the counsel for such claimant) a written notice that her/his Proof of Claim or Notice of Intent (as applicable) is deemed timely and is eligible for processing according to the procedures applicable to timely Proofs of Claim or timely Notices of Intent, as the case may be.

b. **Disputed Cause:** Any Late Claim Request that becomes classified in the "Disputed Cause" category shall initiate a contested matter under Bankruptcy Rule 9014 and be governed accordingly.

By March 10, 2006, the Parties will file with the Court a stipulation (a) identifying the Late Claim Requests that the Parties have received through December 9, 2005 and have classified in the "Disputed Cause" category, and (b) proposing a related scheduling order(s) for the Court's consideration of such Late Claim Requests and any responses or objections thereto filed by the Parties or other interested parties. After March 10, 2006, the Parties will file similar stipulations with the Court on a quarterly basis covering all Late Claim Requests that the Parties have classified in the Disputed Cause category within each quarter. Upon filing each stipulation, the Parties shall serve a copy thereof, together with a copy of these Procedures and the Court's

Order approving them, on the affected claimants and/or their attorneys. The Parties shall serve the scheduling order pertinent to any specific Late Claim Request(s) on the affected claimant or her/his counsel within ten (10) business days after the entry thereof.

If either of the Parties objects to a Late Claim Request in the Disputed Cause category on grounds that the claimant has failed to provide sufficient information to support such Late Claim Request, the claimant or her/his counsel may file additional supportive information with the Court, subject to further review thereof and objection by the Parties.

Hearings related to a Late Claim Request in the Disputed Cause category will be in person before the Court; provided that, subject to the Court's approval, a scheduling order may permit claimants and/or their counsel to participate by telephone in hearings before the Court, without prejudice to the Parties' ability to appear in person.

C. Effect of Determination that a Proof of Claim or Notice of Intent was Timely Filed or is Deemed to be Timely Filed

1. Any person who is determined or deemed, under the procedures set forth above, to have a timely filed Proof of Claim shall be deemed to be a Settling Personal Injury Claimant (as defined in the Amended Joint Plan of Reorganization for Dow Corning Corporation). Any person who is determined or deemed, under the procedures set forth above, to have a timely filed Notice of Intent may be eligible to participate in the SF-DCT subject to a mutually agreeable resolution of the parties and/or an order of the Court on the pending Motion of Dow Corning Corporation to Establish Procedure to Assist the Claims Administrator to Identify and Match Notices of Intent to Rule 3005 Claims in Accordance with Amended Joint Plan.