

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED

APR 23 2003

CLERK'S OFFICE
U.S. DISTRICT COURT
EASTERN MICHIGAN

In Re:

Dow Corning Corporation,

Case No. 00-CV-00005-DT

The Honorable Denise Page Hood

Debtor.

STIPULATION AND ORDER

The Plan Proponents (Dow Corning Corporation and the Tort Claimants' Committee) have now informed the Court that the Court needs to authorize the Dow Corning Settlement Facility to formally utilize certain written submissions made by persons to the MDL-926 Claims Facility in determining the eligibility of those persons to make certain claims in the Dow Corning Settlement Facility. More specifically, some people who have filed for benefits under the Revised Settlement Program (RSP) with the MDL-926 also filed Proofs of Claims (POC's) in the Dow Corning bankruptcy indicating that they had at some point breast implants manufactured by Dow Corning. Some of these same people have since discovered that they never had a Dow Corning breast implant or that the implants thought to be Dow Corning implants are actually unknown implants. Those people now desire to be able to receive, or keep, an undiscounted 100% value of

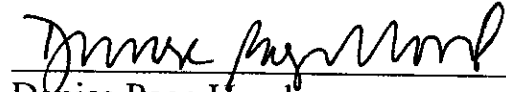
their claims from the MDL-926 Claims Facility.

In order to allow for that result, the MDL-926 Claims Facility is willing to accept a statement from the claimant similar to that attached hereto as Exhibit A in support of payment of an undiscounted 100% claim through the Revised Settlement Program. Copies of any such statements filed with the MDL-926 Claims Facility will be forwarded to the Dow Corning Settlement Facility.

The Dow Corning Settlement Facility Claims Administrator is in agreement with the proposal of the MDL-926 Claims Facility to address this issue. However, she desires to have an order of this Court allowing and approving of the use of the statements filed with the MDL-926 Settlement Facility to deny eligibility of such claimants for Class 5, Class 6.1 and Class 6.2 payments.

In order to achieve the appropriate results in this matter:

IT IS HEREBY ORDERED that the Dow Corning Settlement Facility is authorized to utilize the said statements provided by claimants to the MDL-926 Claims Facility to deny eligibility of such claimants for payments from the Dow Corning Settlement Facility for Class 5, 6.1 and 6.2 payments and such statement when signed and a copy delivered to the Claims Administrator for the Dow Corning Settlement Facility, shall effect the withdrawal of such claim in the Dow Corning bankruptcy without further order of the Court.




Denise Page Hood
United States District Judge

Dated: APR 23 2003

So stipulated:

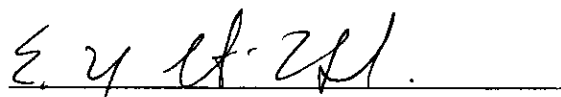
FOR THE DEBTOR
DOW CORNING CORPORATION

By: 
David Ellerbe


George H. Tarpley
NELIGAN, TARPLEY, ANDREWS
& FOLEY, L.L.P.
1700 Pacific Avenue, Suite 2600
Dallas, Texas 75201
(214) 840-5300 Telephone
(214) 840-5301 Facsimile

ATTORNEYS FOR DOW CORNING
CORPORATION
CORPORATION

Approved by:


Wendy Trachte-Huber
Claims Administrator
Dow Corning Settlement Facility

FOR THE OFFICIAL COMMITTEE
OF TORT CLAIMANTS

By: 
Jeffrey S. Trachtman

KRAMER, LEVIN, NAFTALIS &
FRANKEL, LLP
919 Third Avenue
New York, NY 10022-3850
(212) 715-9100 Telephone
(212) 715-8000 Facsimile

ATTORNEYS FOR TORT
CLAIMANTS' COMMITTEE

EXHIBIT A

[Name]

[Social Security Number]

The Proof of Claim that I filed with the Dow Corning bankruptcy court is wrong when it states that I received a breast implant made by Dow Corning. I have never received a Dow Corning implant. My only implants are:

I am filing this statement so that the Claims Administrator for the Revised Settlement Program will remove Dow Corning from my implant history and allow me to recover 100% of my disease compensation benefits, if I otherwise qualify for that type of benefit. I understand that this statement will also be sent to the Settlement Facility – Dow Corning Trust so that it will know the truth about the implants that I have received.

I hereby pledge that I will not file a claim in the Dow Corning bankruptcy proceeding alleging that I have had a Dow Corning breast implant* (although I can pursue claims based on other types of implants or a raw materials claim, if I meet the eligibility requirements for those types of claims). I hereby withdraw all proofs of claim that assert a Dow Corning breast implant claim that I have filed to date in the Dow Corning bankruptcy proceeding.

* If one or more of my implants are of unknown brand or manufacturer, by filing

this statement I am stating that I have tried to identify the brand of that or those implants and have no reason to believe it or they might have been made by Dow Corning. Should I later discover that it or they were Dow Corning implants, I agree that I will refund any overpayments from the Revised Settlement Program and obtain the written consent of the Claims Administrator for that program before filing a Class 5 claim in the Dow Corning bankruptcy.