

F I L E D

MAR 04 2005

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DETROIT

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	§	

**AGREED ORDER AND PLAN INTERPRETATION REGARDING
CHANGE OR WITHDRAWAL OF DISEASE CLAIM ELECTIONS**

Section 7.06 of Annex A to the Settlement Facility and Fund Distribution Agreement (the "Settlement Facility Agreement") provides that the Settlement Facility shall send each eligible Breast Implant Claimant who files a Disease Payment Option Claim ("Disease Claim") a Notification of Status letter regarding the Disease Claim review. The Notification of Status letter is required to inform Claimants of certain information including information about any deficiency in the claim as well as the Claimant's "election options." Pursuant to Section 5.05 of the Settlement Facility Agreement, the Claims Administrator requested that the Claimants' Advisory Committee and Debtor's Representatives provide a Plan interpretation concerning Section 7.06 as follows:

Question: If a Claimant has deficiencies in her Disease Claim and receives a Notification of Status letter, can she apply for a second Disease Claim while her time to cure the deficiencies in the first claim is running?

Answer: Yes. She may apply for a second Disease Claim while her time to cure the deficiencies in the first Disease Claim is running. The Claimant has the option of changing her election back to the first Disease Claim but only up to the deadline to cure deficiencies for that first Disease Claim (which is one year from the date of the Notification of Status letter advising the Claimant of deficiencies in that first Disease Claim). Once the cure deadline has expired, the Claimant may not change her election back to that first disease and the Claimant is barred for payment for that first disease.

The Settlement Facility has also received requests from Claimants who wish to change their Disease Claim election prior to receiving the Notification of Status letter.

Pursuant to Section 5.05 of the Settlement Facility Agreement, the Claimants' Advisory Committee and Debtor's Representatives confirm that such a Claimant may change the Disease Claim Election provided that the Claims Administrator monitors this process. The Claims Administrator may in the future discuss with the Claimants' Advisory Committee and the Debtor's Representatives a limit on the number of times the Claimant may change, withdraw or review a Disease Claim.

This Court hereby ORDERS that the Plan interpretations set forth above shall be adopted by the Court.

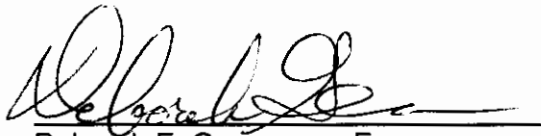
Date: MAR 04 2005



DENISE PAGE HOOD
United States District Judge

So Stipulated:

FOR DOW CORNING CORPORATION

FOR THE CLAIMANTS' ADVISORY COMMITTEE


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