

**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 MODIFYING CERTAIN FINAL DISEASE CURE DEADLINES

On June 15, 2007 this Court entered an “Agreed Order Resetting Final Cure Deadlines” (Docket #535) (hereinafter “Agreed Order”). The Agreed Order set a schedule for the Claims Administrator, Debtor’s Representatives, and the Claimants’ Advisory Committee (collectively, “the Parties”) to review and finalize written information about disease and disability criteria to further assist claimants in filing a disease claim. In accordance with the Agreed Order, the Settlement Facility-Dow Corning Trust (“SF-DCT”) has released information about the disease criteria for Polymyositis (PM), Dermatomyositis (DM), Mixed Connective Tissue Disease (MCTD), Overlap Syndrome (OS), and Primary Sjogren’s Syndrome (PSS), and this information is posted and available on the SF-DCT’s website (www.dcsettlement.com). The Parties have proposed a revision to the schedule for the publication of information about the remaining diseases/medical conditions applicable to Breast Implant Claimants applying for settlement benefits. The Court hereby approves the revised schedule as set forth in this Order. This Order applies only to claims that are “Covered Claims” as defined in Paragraphs (a) - (e) below. This Order does not apply to claimants who submitted a disease claim for PM, DM, MCTD, OS, and/or PSS or to claimants who have submitted or who submit claims for compensation for any of the other disease/medical condition categories and who do not receive a Notification of Status letter by

the specific dates set forth below that define Covered Claims for each specific disease/medical condition category. Therefore, it is **ORDERED** that:

Covered Claims are defined for each separate disease/medical condition category. A claimant who has a Covered Claim (as defined herein) shall receive an extension of the currently applicable cure deadline as specified for the particular disease/medical condition below. To facilitate processing, the final cure deadlines for Disease claims shall be based on the disease or medical condition category that was reviewed by the SF-DCT. The SF-DCT is instructed to identify claimants in each of the following categories who have Covered Claims and to send a notice of the applicable deadline directly to each affected individual claimant and/or their Attorney of Record:

- a) Systemic Sclerosis/Scleroderma (SS)** – On or before February 18, 2008 the SF-DCT shall release information concerning Systemic Sclerosis/Scleroderma (SS) claims. Claimants who received a Notification of Status letter from the SF-DCT stating that the SF-DCT reviewed their claim for SS and it was deficient AND whose cure deadline for their SS claim has or will run on or before August 17, 2008 (collectively, “Covered SS Claims”) will receive a new and final cure deadline of August 18, 2008 for their SS claim. This is the final cure deadline for Covered SS Claims. Claimants with Covered SS Claims who do not cure their deficiency on or by August 18, 2008 will have their SS claim denied pursuant to Section 7.09(b) of the Settlement Facility and Fund Distribution Agreement.
- b) General Connective Tissue Symptoms (GCTS)** – On or before April 1, 2008 the SF-DCT shall release information concerning General Connective Tissue Symptoms (GCTS) claims. Claimants who received a Notification of Status letter from the SF-DCT stating that the SF-DCT reviewed their claim for GCTS and it was deficient AND whose cure deadline has or will run on or before September 30, 2008 (collectively, “Covered

GCTS Claims”) will receive a new cure deadline of October 1, 2008 for their GCTS claim. This is the final cure deadline for Covered GCTS Claims. Claimants with Covered GCTS Claims who do not cure the deficiency for such claim on or by October 1, 2008 will have their GCTS claim denied pursuant to Section 7.09(b) of the Settlement Facility and Fund Distribution Agreement.

c) Atypical Neurological Disease Syndrome (ANDS) – On or before May 1, 2008 the SF-DCT shall release information concerning Atypical Neurological Disease Syndrome (ANDS) claims. Claimants who received a Notification of Status letter from the SF-DCT stating that the SF-DCT reviewed their claim for ANDS and it was deficient AND whose cure deadline has or will run on or before October 31, 2008 (collectively, “Covered ANDS Claims”) will receive a new cure deadline of November 1, 2008 for their ANDS claim. This is the final cure deadline for Covered ANDS Claims. Claimants with Covered ANDS Claims who do not cure their deficiency on or by November 1, 2008 will have their ANDS claim denied pursuant to Section 7.09(b) of the Settlement Facility and Fund Distribution Agreement.

d) Systemic Lupus Erythematosus (SLE) – On or before June 13, 2008 the SF-DCT shall release information concerning Systemic Lupus Erythematosus (SLE) claims. Claimants who received a Notification of Status letter from the SF-DCT stating that the SF-DCT reviewed their claim for SLE and it was deficient AND whose cure deadline for SLE has or will run on or before December 14, 2008 (collectively “Covered SLE Claims”) will receive a new cure deadline of December 15, 2008 for their SLE claim. This is the final cure deadline for Covered SLE Claims. Claimants with Covered SLE Claims who do not cure their deficiency on or by December 15, 2008 will have their SLE claim denied pursuant to Section 7.09(b) of the Settlement Facility and Fund Distribution Agreement.

e) **Atypical Connective Tissue Disease (ACTD)** – On or before August 1, 2008 the SF-DCT shall release information concerning Atypical Connective Tissue Disease (ACTD) claims. Claimants who received a Notification of Status letter from the SF-DCT stating that the SF-DCT reviewed their claim for ACTD and it was deficient AND whose cure deadline has or will run on or before February 1, 2009 (collectively, “Covered ACTD Claims”) will receive a new cure deadline of February 2, 2009 for their ACTD claim. This is the final cure deadline for Covered ACTD Claims. Claimants with Covered ACTD Claims who do not cure their deficiency on or by February 2, 2009 will have their ACTD claim denied pursuant to Section 7.09(b) of the Settlement Facility and Fund Distribution Agreement.

f) The SF-DCT will also release additional information concerning general disease and disability claim guidelines on or before February 18, 2008.

If a claimant has had a disease claim reviewed for more than one eligible disease or medical condition and/or has more than one cure deadline applicable to these diseases/conditions, she will be given a new cure deadline for each separate disease/condition, as determined by the SF-DCT. The SF-DCT shall notify affected claimants or their Attorney of Record regarding the specific cure deadline that applies to their claim and that this is the final cure deadline. Nothing in this Order is intended to shorten the one-year deadline applicable to claims in Classes 5, 6.1, and 6.2 specified in the Plan for curing disease/medical condition claims. *See* Settlement Facility and Fund Distribution Agreement § 7.09(b). Nothing in this Order extends or is intended to extend the cure deadline specified at Section 7.09(b) of the Settlement Facility and Fund Distribution Agreement for any claim other than a Covered ACTD Claim, a Covered SLE Claim, a Covered SS Claim, a Covered ANDS Claim and a Covered GCTS Claim. Specifically, this Order does not extend any cure deadlines or apply to claimants who submitted claims for PM, DM, MCTD, OS,

and PSS and does not apply to claimants who submitted claims for ACTD, GCTS, SS, ANDS, and SLE and whose disease cure deadline is later than the dates set forth above that define each Covered Claim category and does not apply to claimants who submit claims for other compensation categories or in Plan Classes other than Classes 5, 6.1, or 6.2.

Date: 12/12/2007

/s/ Denise Page Hood
DENISE PAGE HOOD
United States District Judge

So Stipulated and Agreed:

FOR THE DEBTOR'S REPRESENTATIVES

FOR THE CLAIMANTS' ADVISORY COMMITTEE

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