United States District Court
Northern District of Alabama
Eastern District of Michigan

FILED
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U.S. DIST. COURT CLERK
EAST. DIST. MICH
DETROIT

In Re:	)	**Master File No. CV-92-N-10000-S**
	)	
	)	**Case No. 00-CV-00001**
Dow Corning Corporation	)	
	)	
Debtor.	)	

ORDER

In accordance with various orders of the MDL 926 Court and the Bankruptcy and District Courts in the Dow Corning Bankruptcy, the Dow Corning Settlement Facility has been pre-funded and the positions of claims administrator and appeals judge and finance committee member have been appointed. In order to continue the orderly administration of both the MDL 926 Settlement Fund and the Dow Corning Settlement Facility during this interim period, this joint order defines the jurisdiction of the various courts and the responsibilities of the various claims office personnel.

The MDL 926 Court has jurisdiction over the MDL 926 Settlement Fund and its employees. The Bankruptcy Court for the Eastern District of Michigan has jurisdiction over the pre-funding of the Dow Corning Settlement Facility. The District Court for the Eastern District of Michigan has jurisdiction over the Dow Corning Settlement Facility and its employees.

The MDL 926 Settlement Fund Escrow Agent is instructed to establish a separate claims office Dow Corning Operating Account to be part of the MDL 926 Settlement Fund and to be funded solely by the MDL 926 Settlement Fund Dow Corning Corporation Investment Sub-account, but only to the extent approved by the Bankruptcy Court for the Eastern District of Michigan. Effective June 15, 2000, the Dow Corning Operating Account will be utilized to pay all Dow Corning Settlement

Facility expenses including without limitation, rent and other overhead, payroll, reorganization and severance costs and other expenses of the Facility.

The Dow Corning Settlement Facility employees shall continue to be MDL 926 Settlement Fund employees until further order of these courts. Special Master Francis McGovern and Appeals Judge Frank Andrews are hereby appointed Interim Claims Administrators for the Dow Corning Settlement Facility with the following allocation of responsibilities: Special Master McGovern will be responsible for communication with the MDL 926 Claims Administrator on matters of joint concern and Judge Andrews and the MDL 926 Escrow Agent, Edgar C. Gentle, will oversee the Dow Corning Operating Account. Mr. Gentle's duties will be limited to those necessary to comply with audit and tax requirements. He will have no authority with respect to spending decisions with regard to the Dow Corning Operating Account. Judge Andrews shall be compensated by and in accordance with the various orders of the Bankruptcy Court for the Eastern District of Michigan. Ms. Patricia Chapman and Ms. Kim A. Reeves are appointed as the Interim Supervisors for the assigned employees with joint check writing authority of up to $10,000 with all checks to be signed by both interim supervisors. For checks in an amount above $10,000, advance authorization from Judge Andrews is required. They are instructed to prepare a separate payroll for the Dow Corning Settlement Facility employees, and, to the extent feasible, set up separate health insurance and employee benefits programs.

More specifically, the MDL 926 Claims Administrator will organize the 15 jointly used employees as follows: 13 will be regularly assigned to the MDL 926 Settlement Fund and two will be regularly assigned to the Dow Corning Settlement Facility. The MDL 926 Claims Administrator shall periodically invoice the Dow Corning Plan Operating Account for the Dow Corning Settlement

Facility use of the Claims Office and for services performed for the Dow Corning Settlement Facility by MDL 926 Settlement Fund employees.

The Honorable Ann Tyrrell Cochran is hereby relieved of any supervision, personnel, oversight or other responsibility whatsoever, with respect to the Dow Corning Settlement Facility employees or its related operations.

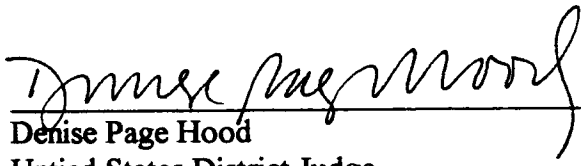
In order to ensure the continued protection of confidential and proprietary information gathered or prepared in connection with the MDL 926 Settlement Fund, except for sharing of the information between employees of the MDL Settlement Fund and the Dow Corning Settlement Facility if required, no MDL 926 Settlement Fund employee or Dow Corning Settlement Facility employee can share any claimant information with anyone other than the claimant or the claimant's attorney, except as ordered by the courts having jurisdiction over the respective offices.

In addition, all materials prepared by the MDL 926 Settlement Fund employees, except those that have been generally distributed to claimants and attorneys, are confidential and proprietary and shall not be shared with persons outside the claims office, except with the written authorization of the MDL 926 Claims Administrator or the MDL 926 Court. If any of these materials are shared with the Appeals Judge and/or Dow Corning Settlement Facility employees, these persons are also bound by this order of Confidentiality.

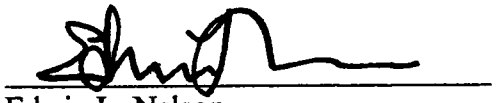
To facilitate the smooth operation during this interim period, (i) Dow Corning Settlement Facility and MDL 926 Settlement Fund employees shall receive compensation at parity with each other in accordance with the Price Waterhouse Coopers compensation study conducted for the RSP; (ii) established Claims Office protocols pertaining to the file room, protection of confidential data and information, and other procedures shall be followed by both the MDL 926 Settlement Fund and Dow

Corning Settlement Facility employees, unless changed by the MDL 926 Claims Administrator; and

(iii) the two offices will otherwise cooperate in the joint operation of their respective duties.



Denise Page Hood
Untied States District Judge



Edwin L. Nelson
United States District Judge