

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**In Re:**

**DOW CORNING CORPORATION,**

**Debtor.**

**Case No. 00-CV-00005-DT  
(Settlement Facility Matters)**

**HON. DENISE PAGE HOOD**

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**ORDER APPROVING ELIZABETH W. TRACHTE-HUBER  
AS SUCCESSOR CLAIMS ADMINISTRATOR PURSUANT TO THE  
SETTLEMENT FACILITY AND FUND DISTRIBUTION AGREEMENT**

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 members have been appointed. The Amended Joint Plan of Reorganization for Dow Corning Corporation, dated February 4, 1999, as amended and modified (the “Plan”), and the Settlement Facility and Fund Distribution Agreement (the “Settlement Facility Agreement”), a subsidiary document incorporated into the Plan, provide for the appointment and supervision of a Claims Administrator to perform certain functions with respect to processing and paying Settling Personal Injury Claims under the Plan. The Plan Proponents have designated Elizabeth W. Trachte-Huber as Claims Administrator, as successor to Mary Katherine Kennedy, and Ms. Trachte-Huber has agreed to accept the appointment and execute a Claims Administrator Employment Agreement (the “Employment Agreement”) following this Court’s approval of her appointment. Upon the Court’s consideration of the Plan, the Settlement Facility Agreement, and the Employment Agreement, it is hereby **ORDERED** that:

1. Pursuant to Article 4.02(a) and (b) of the Settlement Facility Agreement, 11 U.S.C. §§ 1107(a) and 363(b)(1), and Fed.R.Civ.P. 53, Elizabeth W. Trachte-Huber is approved as the Claims Administrator of the Dow Corning Settlement Facility;

2. The Order dated June 26, 2000 entered by this Court and the Honorable Edwin L. Nelson, MDL 926 United States District Judge, continues in effect until further order of the Court except to the extent the June 26, 2000 Order is inconsistent with this Order;

3. The Proponents and Ms. Trachte-Huber are authorized to execute the Employment Agreement and to perform their respective obligations thereunder;

4. All funds expended by Dow Corning in the performance of the Employment Agreement prior to the Effective Date of the Joint Plan shall be credited against and considered part of the startup and first-year funding obligations of Dow Corning pursuant to the Joint Plan and the Funding Payment Agreement described therein;

5. All actions taken at any time by Elizabeth W. Trachte-Huber as the Claims Administrator (or by any employees or agents engaged by Ms. Trachte-Huber as the Claims Administrator or appointed or hired to perform services in assisting the Claims Administrator) in implementing the Settlement Facility and in collecting, collating, processing, evaluating, and paying claims shall be performed in accordance with the terms of the Plan and the Plan Documents (as defined in the Plan); and

6. The actions described in the preceding paragraph 5 shall constitute judicial actions of this Court and shall be protected, to the maximum extent allowable by law, by the doctrine of

judicial immunity. The relief granted in this paragraph shall be effective from this date until the Claims Administrator resigns or is terminated.

DATED: November 29, 2000

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/s/  
DENISE PAGE HOOD  
United States District Judge