

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

In re:

**DOW CORNING CORPORATION,
(NKA DOW SILICONES CORPORATION)**

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

Hon Denise Page Hood

**ORDER APPROVING SELECTION OF
SUCCESSOR INDEPENDENT ASSESSOR PURSUANT TO
SETTLEMENT FACILITY AND FUND DISTRIBUTION AGREEMENT**

The Settlement Facility and Fund Distribution Agreement (the "Settlement Facility Agreement"), a document incorporated into the Amended Joint Plan of Reorganization for Dow Corning Corporation, dated February 4, 1999, as amended and modified, provides for the appointment of an Independent Assessor to perform certain functions and have certain responsibilities with respect to the Settlement Facility-Dow Corning Trust and the Depository Trust. *See* Settlement Facility Agreement § 4.05. On September 9, 2005, the Court approved the appointment of Thomas Florence as the Independent Assessor. Mr. Florence has served in this role with distinction and has now entered retirement. The Court thanks Mr. Florence for his years of dedicated service and discharges him from the role of Independent Assessor.

The claim filing deadline passed more than a year ago and there is no longer a need to conduct projections of future claim filings. Accordingly, at this stage in the matter, the Finance Committee has determined that it would be appropriate to engage a successor Independent Assessor to assist in the final aspects of distribution and termination of the Settlement Facility operations. Upon the recommendation of the Finance Committee, following its consultation with

the Claimants' Advisory Committee and the Debtor's Representatives and in accordance with Section 4.05 of the Settlement Facility Agreement,

IT IS HEREBY ORDERED that JOHN WILLS is appointed and approved as the successor Independent Assessor and shall have primary responsibility for overseeing and making recommendations concerning the development of projected funding requirements under Section 7.01(d) of the Settlement Facility Agreement and assessing, in conjunction with the Financial Advisor, the availability or adequacy of assets in the Litigation Fund and the Settlement Fund for purposes of Section 7.02(d) and Sections 7.03(a), (b), and (c) of the Settlement Facility Agreement, for advising the Finance Committee of its assessments and presenting the Finance Committee with its official findings and recommendations for review and consideration, for addressing all elements in accordance with the role of the Independent Assessor, and for preparing and submitting reports in accordance with Sections 4.08(b) and 7.01(d) of the Settlement Facility Agreement.

Dated: September 25, 2020

S/DENISE PAGE HOOD
DENISE PAGE HOOD
CHIEF JUDGE