

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOTHERN DIVISION**

IN RE:	§	CASE NO: 00-CV-00005-DT
	§	(Settlement Facility Matters)
DOW CORNING CORPORATION	§	
	§	
Reorganized Debtor	§	
	§	
	§	Hon.Judge Denise Page Hood

**MOTION FOR EXPEDITED HEARING FOR MOTION TO REOPEN TIME TO  
APPEAL REGARDING CLOSING OREDER 5 (ECF No.1667)**

The Korean Claimants filed Motion to Reopen Time to Appeal (ECF No.1667) regarding Closing Order 5. (ECF No.1642) Before filing the Motion to Reopen, the Korean Claimants appealed against Closing Order 5 and the appeal is pending the Sixth Circuit. (Case No. 22-1753)

Dow Corning Corporation, the Debtor’s Representatives, the Finance Committee and the Claimants’ Advisory Committee (hereinafter referred to as “Dow Corning Corporation” collectively) have filed the Response (ECF No.1670) and the Korean Claimants filed the Reply (ECF No. 1674) so that the Motion to Reopen Time to Appeal has been fully briefed.

On the other hand, Dow Corning Corporation filed the Appellee’s brief (Exhibit A) with the Sixth Court. In this brief, Dow Corning Corporation strongly and mostly argues that the appeal of the Korean Claimants regarding Closing Order 5 was untimely filed so that it should be dismissed.

At this point, the Korean Claimants believe that whether the appeal regarding Closing Order 5 is untimely is to be resolved by this Court regarding the Motion to Reopen Time to Appeal. In addition, a motion to reopen the time to appeal is a task by a district court.

A decision by this Court rather than the Sixth Circuit would also contribute to judicial economy because if this Court decides in the negative the Korean Claimants have no need to argue for substantive issues regarding Closing Order 5 in the Sixth Circuit. The Sixth Circuit has no need to determine whether the Korean Claimants have a merit in the appeal regarding Closing Order 5 as well.

For the foregoing reasons, the Korean Claimants request this Court to hold an expedited hearing for the Motion to Reopen Time to Appeal regarding Closing Order 5, or to rule quickly regarding the Motion to Reopen Time to Appeal. (ECF No.1667)

Date: October 22, 2022

Respectfully submitted,

(signed) Yeon-Ho Kim  
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**CERTIFICATE OF SERVICE**

I hereby certify that on October 22, 2022, this Motion for Expedited Hearing has been electronically filed with the Clerk of Court using ECF system, and the same has been notified to all of the relevant parties of record.

Dated: October 22, 2022

Signed by Yeon Ho Kim