

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

In re:

SETTLEMENT FACILITY DOW CORNING TRUST

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

Hon. Denise Page Hood

**MOTION FOR LEAVE TO FILE SUR-REPLY IN FURTHER RESPONSE OF
DOW SILICONES CORPORATION, THE DEBTOR’S REPRESENTATIVES,
THE CLAIMANTS’ ADVISORY COMMITTEE AND THE FINANCE
COMMITTEE TO THE KOREAN CLAIMANTS’ MOTION FOR ORDER TO
CORRECT THE DISPOSITION OF THE SF-DCT REGARDING THE KOREAN
CLAIMANTS**

Dow Silicones Corporation (“Dow Silicones”),¹ the Debtor’s Representatives (the “DRs”), the Claimants’ Advisory Committee (“CAC”), and the Finance Committee (“FC”) (collectively, “Respondents”) submit this Motion for Leave to File Sur-Reply in Further Response to Korean Claimants’ Motion for Order to Correct the Disposition of the SF-DCT Regarding the Korean Claimants, ECF No. 1752 (“Motion to Correct”).

Background

1. The Korean Claimants filed a Motion to Correct on December 15, 2023.

¹ As Dow Silicones Corporation previously advised the Court, Dow Corning Corporation changed its name to Dow Silicones Corporation on February 1, 2018.

2. Respondents filed a Response to the Motion to Correct on December 29, 2023, ECF No. 1754.

3. The Korean Claimants filed a Reply to Response Regarding the Motion for Order to Correct the Disposition of the SF-DCT (“Reply”), ECF No. 1755, on January 2, 2024.

4. The Reply asserts new arguments not raised in the Motion to Correct and, more importantly, bases those arguments on assertions about the character of the claims at issue that are patently untrue and belied by the clear records of the Settlement Facility. The Respondents seek leave to file the Sur-Reply in order to assure an accurate factual record for the Court. The proposed Sur-Reply is attached hereto as Exhibit 1.

Request for Relief

5. By this Motion, the Respondents respectfully request that the Court enter an order in the form and substance attached hereto as Exhibit 2 to grant leave to the Respondents to file the Sur-Reply.

Dated: January 12, 2024

Respectfully submitted,

/s/ Karima Maloney

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Claimants' Advisory Committee

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Claimants' Advisory Committee

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CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2024, I electronically filed the foregoing document with the Clerk of the Court using the ECF System which will send notification of such filing to all registered counsel in this case.

Dated: January 12, 2024

/s/ Deborah E. Greenspan

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