EXHIBIT 5

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In Re:

DOW CORNING CORPORATION,

Reorganized Debtor.

_____/

Civil Action No. 00-CV-00005-DT

(Settlement Facility Matters)

The Honorable Denise Page Hood

AFFIDAVIT OF NICOLE ABENTH IN SUPPORT OF DOW CORNING CORPORATION AND THE DEBTOR'S REPRESENTATIVES' RESPONSE TO MOTION OF CLAIMANTS' ADVISORY COMMITTEE FOR DECLARATORY RELIEF REGARDING RELEASES

BEFORE ME, the undersigned authority, personally appeared Nicole Abenth, who, after being duly sworn, deposed by me stated as follows:

1. My name is Nicole Abenth. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts stated in this affidavit.

2. I am currently a Senior Paralegal with Dow Corning Corporation on loan to the DCC Litigation Facility, Inc. I was employed in the Customer Relations Department at Dow Corning from approximately 1992 though 1996, where I participated in the negotiation and settlement of breast implant claims.

3. The Customer Relations Department was one resource organized under the broad umbrella of "Implant Issue Operations." The Customer Relations Department was an extension of Dow Corning's traditional, claims processing function that existed prior to the breast implant controversy of the early 1990s. The Customer Relations Department was charged with resolving customer claims or complaints through a number of methods, including settlement of potential litigation.

4. The Customer Relations Department was separate and distinct from both the Implant Information Center, which was an information clearinghouse about breast implants, and the Removal Assistance Program, which offered streamlined and expedited financial assistance to qualified claimants. The Customer Relations Department functioned as a claims processing center to resolve claims outside of litigation. It was an expanded claims unit created to handle the increased number of customer complaints that arose as a result of the breast-implant media reports.

5. Claimants who settled their claims through the Customer Relations Department were required to sign a release. Based on my personal experience with this Department, Customer Relations Specialists, like myself, were trained to and did ensure that the release requirements were disclosed to and agreed to by patients or claimants.

6. The Removal Assistance Program and claims processed by the Customer Relations Department were non-exclusive. This meant that the same claimant could recover up to $1200 under the Removal Assistance Program without releasing her claims against Dow Corning and could also obtain additional money from the Customer Relations Department subject to a deduction for the money received through the Removal Assistance Program and the execution of a release.

7. However, a claimant could not first settle her claim with the Customer Relations Department and then seek financial assistance through the Removal Assistance Program. That is because the claimant would have executed a release barring breast-implant-related claims against Dow Corning.

8. It was the practice of Customer Relations Department representatives to take contemporaneous notes of conversations held with claimants and others to whom they were speaking about customer complaints or claims.

9. Attached hereto as Exhibit A is a true and correct copy of a June 25, 1992 document entitled "Dow Corning Update", which is a record kept by Dow Corning Corporation in the regular course of business, and it was the regular course of business of Dow Corning Corporation for an employee or representative of Dow Corning Corporation, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit information to be included in that record; and the record was made at or near the time or reasonably soon thereafter.

10. Attached hereto as Exhibit B is a true and correct copy of a March 25, 1992 document entitled "Dow Corning Update", which is a record kept by Dow Corning Corporation in the regular course of business, and it was the regular course of business of Dow Corning Corporation for an employee or representative of Dow Corning Corporation, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit information to be included in that record; and the record was made at or near the time or reasonably soon thereafter.

11. Attached hereto as Exhibit C is a true and correct copy of a December 30, 1992 letter from Shelley Blair, a Customer Relations Specialist, to a claimant, which is a record kept by Dow Corning Corporation in the regular course of business, and it was the regular course of business of Dow Corning Corporation for an employee or representative of Dow Corning Corporation, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit information to be included in that record; and the record was

made at or near the time or reasonably soon thereafter. The claimant's name has been redacted to protect her confidentiality.

12. Attached hereto as Exhibit D is a true and correct copy of a March 16, 1994 letter from Cindy A. Varner, a Customer Relations Specialist, to Dr. Phillip Corso, which is a record kept by Dow Corning Corporation in the regular course of business, and it was the regular course of business of Dow Corning Corporation for an employee or representative of Dow Corning Corporation, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit information to be included in that record; and the record was made at or near the time or reasonably soon thereafter.

13. Attached hereto as Exhibit E is a true and correct copy of a December 30, 1992 letter from Patricia Barnes, a Customer Relations Specialist, to Dr. Jann Johnson, which is a record kept by Dow Corning Corporation in the regular course of business, and it was the regular course of business of Dow Corning Corporation for an employee or representative of Dow Corning Corporation, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit information to be included in that record; and the record was made at or near the time or reasonably soon thereafter.

14. Attached hereto as Group Exhibit F are true and correct copies of letters sent from Dow Corning to claimants, physicians, and attorneys, which are records kept by Dow Corning Corporation in the regular course of business, and it was the regular course of business of Dow Corning Corporation for an employee or representative of Dow Corning Corporation, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the records or to transmit information to be included in these records; and the records were made at or near the

time or reasonably soon thereafter. Claimants' names have been redacted to protect their confidentiality.

15. Attached hereto as Exhibit G is a true and correct copy of September 4, 1992 Authorization To Release Medical Information signed by Bonnie Boyette, which is a record kept by Dow Corning Corporation in the regular course of business, and it was the regular course of business of Dow Corning Corporation for an employee or representative of Dow Corning Corporation, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit information to be included in that record; and the record was made at or near the time or reasonably soon thereafter.

16. Attached hereto as Exhibit H is a true and correct copy of handwritten notes taken by a Customer Relations Specialist on November 17, 1992, which is a record kept by Dow Corning Corporation in the regular course of business, and it was the regular course of business of Dow Corning Corporation for an employee or representative of Dow Corning Corporation, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit information to be included in that record; and the record was made at or near the time or reasonably soon thereafter.

17. Attached hereto as Exhibit I is a true and correct copy of handwritten notes taken by a Customer Relations Specialist on September 11, 1992, which is a record kept by Dow Corning Corporation in the regular course of business, and it was the regular course of business of Dow Corning Corporation for an employee or representative of Dow Corning Corporation, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit information to be included in that record; and the record was made at or near the time or reasonably soon thereafter.

18. Attached hereto as Exhibit J is a true and correct copy of handwritten notes taken by a Customer Relations Specialist on September 3, 1992, which is a record kept by Dow Corning Corporation in the regular course of business, and it was the regular course of business of Dow Corning Corporation for an employee or representative of Dow Corning Corporation, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit information to be included in that record; and the record was made at or near the time or reasonably soon thereafter.

19. Attached hereto as Exhibit K is a true and correct copy of a letter dated April 14, 1992, from Lynn Diebold, a Customer Relations Specialist, to Neldy Diaz, which is a record kept by Dow Corning Corporation in the regular course of business, and it was the regular course of business of Dow Corning Corporation for an employee or representative of Dow Corning Corporation, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit information to be included in that record; and the record was made at or near the time or reasonably soon thereafter.

20. Attached hereto as Exhibit L is a true and correct copy of a letter dated June 7, 1993, from Mamie Goetterman, a Customer Relations Specialist, to Vy Williamson, which is a record kept by Dow Corning Corporation in the regular course of business, and it was the regular course of business of Dow Corning Corporation for an employee or representative of Dow Corning Corporation, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit information to be included in that record; and the record was made at or near the time or reasonably soon thereafter.

21. Attached hereto as Exhibit M is a true and correct copy of a April 30, 1994 memorandum regarding Referrals to Customer Relations, which is a record kept by Dow

Corning Corporation in the regular course of business, and it was the regular course of business of Dow Corning Corporation for an employee or representative of Dow Corning Corporation, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit information to be included in that record; and the record was made at or near the time or reasonably soon thereafter.

Nicole Abenth

Nicole Abenth

SWORN TO AND SUBSCRIBED BEFORE ME on May 18, 2006 by Nicole Abenth

Earnestine Barnes

[Notary's typed or printed Name]
NOTARY PUBLIC FOR THE STATE OF MICHIGAN

Earnestine Barnes
NOTARY PUBLIC, MIDLAND COUNTY, MICHIGAN
MY COMMISSION EXPIRES NOVEMBER 22, 2010
ACTING IN ___ COUNTY, MICHIGAN

(Seal) My commission expires: Nov. 22, 2010

[or Notary's Stamp]

EXHIBIT A

DOW CORNING UPDATE

Worldwide - June 25, 1992

Additional implant issue management assignments announced

The following individuals were recently assigned to the implant issue management effort:

Peggy (P.L.) Gerstacker - Peggy is responsible for management of several operational activities related to the implant issue. These activities include the Implant Information Center, Breast Implant Removal Assistance Program, Device Complaint Reporting and Device Complaint Investigation and Testing Program. "Peggy's facilitative management style is key to leading this important effort for Dow Corning," comments Burnett Kelly, Chairman, Implant Issue Management Team. Peggy was previously Midland Plant Controller.

Ken (Kenneth L.) Montague - Ken is responsible for leading Dow Corning's device complaint reporting process. This process is a key link between Dow Corning and the Food and Drug Administration (FDA). Ken was previously Quality and Supply Manager, Hemlock Plant.

Chick (Charles J.) Burda - Chick is responsible for leading Dow Corning's silicone medical device complaint investigation and testing program. The focus of this effort is chemical and physical testing of returned implants. Other team members include:

Jim (James A.) Vallender - Complaint Investigation Supervisor
Margie (M. A.) Fruk - Complaint Investigator
Leasa (L. C.) Miller - Complaint Investigator

Individuals **previously and currently** assigned to the management of the implant issue include:

Implant Information Center

The Implant Information Center is in place to provide answers to questions customers and others have related to Dow Corning's silicone medical device product line. Since its inception in July 1991, this 1-800 number service has provided information to more than 100,000 callers. Members of the Implant Information Center team include:

Paulette Williams (supv.)
Wendy Bott
Janis Wiles
Barbara McIntyre
Chris Walker
Tracie McKnatt*
Amy Doran
Sandy Mendyk
Janis Smith
Patty Hockey
Anne McGeehan-Woodard*
Gail Mohler*
Dawn Bartell
Vicki Westbrook
Toni Dewald
Amy Reynolds
Gina Ballard
Barbara Yates*

(over)

Customer Relations

The purpose of the Customer Relations team is to resolve claims customers have which may be related to Dow Corning's medical device product line. Team members include:

Lynn Diebold (mgr.)	Manuelita Goetterman	Shelly Blair
Rosalyn Wakefield	Patricia Barnes	Nicole Schuler
Stacey Wagner	Martha Biggs	Amanda Ingram
Judy Haynie	Jeri King	Jill Trokey
Cheryl Edwards*	Alicia Farage	John Gauger*
P. J. Barker	Kim Thornberg	

Breast Implant Removal Assistance Program

The Breast Implant Removal Assistance Program is designed for a woman who has agreed with her physician that for medical reasons her Dow Corning gel filled breast implant device should be removed **and** who is unable to pay for the removal surgery without the financial assistance provided under this program. Individuals responsible for administering this program are:

Bridget Snow (supv.)	Sandy Methner	Jan Robinson
Linda Abbott	Sally Arman	Deb Bennett
Marilyn Wildes	Marsha Stamas	Cindy Maher
Trudy Butler	Donna Street	Linda Weihl
Lora Martin	Sue King	Kelly Wyrembelski
Kris Lauer	Denise Hus	

Medical Device Program

The mission of this program is to further understanding of biocompatability issues related to silicone medical device materials. Program members include:

Paal Klykken	Tom Galbraith	Mike Woolhiser
Mark Van Dyke	Dolly Fowler	Christi Wilcox
Gina Malczewski	Becky Duwe	Gayann Nash
Sharon Mudgett	Karen Rau	

Communications

Effective and timely communication with Dow Corning employees and parent companies, local and national press, and others is key to managing this issue. Major contributors to this on-going effort include:

Scott Seeburger	Jan Botz	Chris Meter
Ed Hutchison*	Barbara Rothhaar	Kevin Campbell
Maureen Pillepich	Michelle Kataski	Bob Grupp*

Legal

Management of the legal dimension of the implant issue is a team effort involving both internal and external expertise. Key Dow Corning contributors include:

Greg Thiess
Ann Ignash
Barbara Anderson
Carolyn Kimbrough Davis
Jamie Mason
Deborah Totten
Paul Marcela
Sharon Robinson
Jennifer Warren
Robin Mikusko
Robin Bussa
John Woodard
Jim Hayes
Susan Horstman
Larry Ruhr
Joanne Dana
Holly Estabrook
Cathy Shankel
Marcia Marsh
Kathy Krotzer
Carl Voigt
Lisa Marsh
Kim Pretzer
Harvey Steinberg
Earnestine Barnes
Patricia Arthur
Ann Draves
Alice Kupchinsky
Nancy Van Paris
Norm Lewis
John Chiatalas
Grace Garza
Chloe Miller
Philip Botwinik

Professional Relations

Effective communication with professional groups such as plastic surgeons, nursing groups and other professional medical societies is key to managing the implant issue. Key contributors to this effort include:

Gene Jakubczak
Kathy Clark
Joy Murray

Clinical Studies

Dow Corning is contributing to sponsorship of several epidemiology studies at various universities and medical clinics. The purpose of these studies is to address issues regarding the safety of silicone gel-filled breast implants which have arisen from an ever-expanding medical knowledge base. Key individuals responsible for managing these studies include:

Mary Ann Woodbury
Lois Duel
Bob DeLongchamp
Jim Curtis
Debbie Kelly

Government Affairs

Remaining current with the direction the FDA, Congress and other government agencies are taking on this issue is essential. Key individuals in Washington, D.C. working to keep Dow Corning current are:

Faye Gorman
Linda Newman

(over)

Business and Area Representatives

U.S.	-	Bob Rylee Dan Hayes
Europe	-	Peter Dean Jim Bolland Colin Rowland Alain Joachim
Inter-America	-	Bryan Groulx Bert Miller Dave Nellis John Schaber
Pacific	-	Ros McWilliam Bernie McMahon
Japan	-	Mike Jackson Kinuyo Kuroda Michio Kimura

Issues Management Team

Keith McKennon	Burnett Kelly (chairperson)	Mark Groulx
Myron Harrison	Ralph Cook	Barie Carmichael
John Rigas	Jim Jenkins	Bob LeVier
Marian Cimbalik	Dick Gergle*	

In addition to the people listed, there are many other employees who have made significant contributions to this effort. Thank you to everyone!

* *Not currently assigned*

EXHIBIT B

DOW CORNING UPDATE

Worldwide - March 25, 1992

Two documents are reprinted here to help you better understand Dow Corning initiatives regarding the silicone gel breast implant issue.

Both were prepared specifically to meet the informational needs of women with Dow Corning implants and physicians. The first explains the Dow Corning Breast Implant Removal Assistance Program; and the second is a listing of questions and answers on our continuing commitment to patients and physicians. These documents were included in a mailing last week to a diverse group of about 10,000 individuals, including physicians, some customers, various support groups, government regulators, members of Congress and others.

Dow Corning Breast Implant Removal Assistance Program

In February 1992, the FDA provided the following advice to women with silicone gel-filled implants. "It is important to bear in mind that most women do not experience serious problems with their implants. At this time, the FDA is not recommending women have their implants removed if they are not experiencing any problems. But women with implants should be on the alert for potential problems. If they experience any symptoms they feel may be related to the implants, they should contact their personal physicians or plastic surgeons, as they would with any illness."

Dow Corning supports this statement by the FDA. Furthermore, Dow Corning believes that silicone gel-filled breast implant devices serve an important medical purpose and that unnecessary removal could result in surgical complications or harm which otherwise would not occur. Although it does not encourage, and in fact strongly discourages, unnecessary surgery, Dow Corning recognizes that each woman, in consultation with her physician, must make her own decision. For those women who agree with their physicians that for medical reasons the implant(s) should be removed, but who are unable to pay for the removal surgery without financial assistance, Dow Corning has designed a financial support program described in detail below. This program applies to patients who reside in the United States.

The Program:

The Breast Implant Removal Assistance Program is designed for a woman who has agreed with her physician that for medical reasons her Dow Corning gel-filled breast device(s) should be removed and who is unable to pay for the removal surgery without the financial assistance provided under this program. The program is effective for removal surgery performed as of January 6, 1992, and will remain in effect for the foreseeable future to allow women to make an informed decision regarding removal surgery. At least one year's notice will be given prior to termination of this program.

The surgeon, as primary intermediary, is responsible for providing the patient with appropriate risk information prior to surgery.

Product: The program will apply to all Dow Corning gel-filled breast implant devices implanted prior to January 6, 1992.

(over)

Conditions: The following conditions must be met in order for the Breast Implant Removal Assistance Program to apply:

1) Product must have been used only as intended and in accordance with Dow Corning literature current to the date of implantation.

2) Product must have been implanted and removed by appropriately qualified, licensed surgeons in accordance with accepted plastic surgical procedures.

3) Patient certifies she is unable to pay for the removal surgery without the financial assistance provided under this program.

4) Completion and return of the Patient Certification Form and the Informed Consent Form prior to removal surgery.

5) Post-operative verification by the physician that Dow Corning manufactured the removed breast implant device(s).

Expenses:

Dow Corning agrees to pay up to $1,200 of the medical expenses directly related to removal surgery not covered by insurance. This program is not intended to cover costs related to breast implant replacement.

Participation in this program will not require a release of your potential claims against Dow Corning.

To apply for assistance:

1) The physician or patient should contact a Dow Corning representative by phoning 1-800-442-5442 or writing to Dow Corning Corporation, P.O. Box 995, Mail #95, Midland, MI 48686.

2) The Dow Corning representative will explain the program and send:

   - a program brochure
   - a certification to be signed by the patient and her physician confirming that
     - she understands and agrees to accept the risks associated with removal surgery,
     - she is unable to pay for the removal surgery without the financial assistance provided under this program,
     - her gel-filled breast implant device(s) were manufactured by Dow Corning.
   - an Informed Consent Form to be reviewed and signed by the patient and her physician.

3) The patient and physician should complete the Patient Certification Form and the Informed Consent Form. The physician should return the completed forms to Dow Corning in the self-addressed, stamped envelope provided, prior to removal surgery.

4) Dow Corning will issue a check, made payable jointly to the patient and the physician, upon recipt of a) a post-operative statement from the physician verifying Dow Corning as the manufacturer of the breast implant device(s) and b) the physician's statement of medical expenses directly related to the removal surgery that is not covered by insurance.

Questions and answers on Dow Corning's continuing commitment to patients and physicians

What should I believe about the safety and efficacy of silicone breast implants?

The FDA advisory panel in February concluded that there is insufficient evidence to show any link between silicone breast implants and systemic diseases of the immune system. In fairness, they also concluded that there was insufficient evidence to prove that no such link exists. Thus, continuing research is obviously important. Part of our commitment to patients and physicians is to continue our research on the safety of these devices. We need to answer those remaining questions women may have about their implants. Based on our available science, Dow Corning continues to believe that Dow Corning silicone breast implants serve a public health need and do not pose an unreasonable risk.

Will Dow Corning continue to sponsor research on breast implant safety issues?

Yes. In February, we announced an ambitious research plan of more than 30 studies, including major studies that are already under way at New York University and the University of Michigan. On March 19, we also announced the establishment of a research fund of $10 million, to be audited by the independent accounting firm of Price Waterhouse, which will be used for the sole purpose of funding research on the safety of breast implants. The research plan includes new studies of existing patients, as well as additional safety studies, and chemical and physical properties research. We will assure that the results of this research are made available to all interested parties.

How can physicians and patients become involved in any clinical trials that do occur?

This information should be forthcoming after the FDA makes its final decision about the availability of silicone breast implants, which it is scheduled to do on or before April 20.

Will the company pay to have implants removed?

Yes, under certain circumstances and with specific criteria. In February, the FDA panel recommended that implants performing satisfactorily need not be removed. We agree with that recommendation. For patients who seek to have their Dow Corning breast implants removed for medical reasons, but who cannot afford this procedure, Dow Corning will provide up to $1,200 to support the medical costs of the removal procedure. For more information, patients can call Dow Corning's Breast Implant Information Center at 1-800-442-5442.

What should I do if my Dow Corning implants need replacement?

Pending the FDA decision in April, Dow Corning remains confident that breast implants will continue to be available from other manufacturers. In addition, Dow Corning has in place a replacement warranty program for our SILASTIC®II and MSI®implants. The program provides women having those implants with a five-year warranty. This includes a replacement device and $600 in financial support.

Dow Corning will continue this program. Patients participating in the program may choose among any breast implant devices that are legally available in the U.S., including gel or saline implants made by other manufacturers. For more details, call our Breast Implant Information Center at 1-800-442-5442.

Will Dow Corning silicone breast implants be available overseas?

No. Dow Corning's decision to permanently stop the production and sale of its implants applies worldwide.

By withdrawing now, before the FDA has made a final decision, is Dow Corning admitting that the device is unsafe?

Not at all. We continue to believe that the implant effectively serves a public health need and does not present an unreasonable risk. According to the conclusions of the February FDA panel, there is insufficient evidence to show a link between breast implants and systemic diseases of the immune system. Dow Corning's decision to permanently stop production and sales of implants is not related to issues of science or safety but to existing business conditions.

Why do you not discontinue the gel-filled version and replace it with an implant containing saline solution? Would this not be safer?

We don't agree that the gel presents a health hazard. Our decision to permanently stop sales and production of breast implants would apply to the production of any breast implants.

Who at Dow Corning should patients call if they want more information?

Patients should call the Implant Information Center at 1-800-442-5442.

Who at Dow Corning should physicians call if they want more information?

Physicians should call 1-800-437-7056.

EXHIBIT C

DOW CORNING
DOW CORNING WRIGHT
P.O. BOX 100 • ARLINGTON, TN 38002

December 30, 1992

REDACT

Dear [illegible]:

As follow-up to your communication, this letter will confirm our willingness to work with you in resolving your claim. To begin, I am enclosing a medical authorization for your signature. This gives me written permission to contact your doctor and obtain the records needed to identify your implants.

Once I have this information, there are two options. We have a Breast Implant Removal Assistance Program which provides up to $1,200.00 towards the cost of the removal if it is medically necessary and you are financially unable to pay. To apply for this assistance, please call 1-800-442-5442.

The second option is to file a claim with my office. This payment policy is based upon an examination by our laboratory of the removed implants. If it appears your implant failed as a result of our materials or workmanship, we will assume financial responsibility for your reasonable, uninsured out-of-pocket expenses. Prior to making any claim payment, we would require you to sign a release.

To proceed with a claim, please sign the enclosed Medical Authorization and return it to me in the [illegible]elope provided. Include the names of the doctors who have treated your breasts. As soon as I receive this information, I will request your records.

I am enclosing a copy of our Patient Information Packet which I hope will be helpful in answering any questions you may have about your implants. Due to the large number of phone calls we are receiving, I know it can be difficult and frustrating trying to reach me on the telephone. I do apologize and want to assure you that we are concerned about your well-being and will make every effort to respond to you as quickly as possible.

If I can answer any questions about our Removal Assistance Program or our claims process, please do not hesitate to call me at 1-800-238-7188.

Sincerely,

Shelley A. Blair
Customer Relations Specialist

SAB:jk
[illegible]B0277
[illegible]closures

PATIENT INFORMATION
(Return with Authorization)

Please Print

Patient's Name: REDACT

Present Address: _____

_____

Date of Birth: _____ Social Security #: _____

Previous Address: _____
(If you have lived at present address less than five years)

Previous names patient has used: _____

Implanting Physician:
(Please include complete address and telephone number)

_____

_____

_____

Other Treating Physicians:
(Please include complete addresses and telephone numbers)

_____

_____

_____

_____

_____

_____

_____

_____

Hospitals Where Surgery Performed:
(Please include complete addresses and telephone numbers)

_____

_____

_____

EXHIBIT D

DOW CORNING

March 16, 1994

Phillip Corso, M.D.
Aesthetic Center of Plastic Surgery
Attn: Jane Erdo, R.N.
1200 Post Road East
Westport, CT 06880

Re: Patient Options

Dear Ms. Erdo:

This letter will confirm the options we have available for your patient. We would like to assure you that Dow Corning is concerned with patients who use our products and we do stand behind them. Options currently available to your patient which are not part of the recently announced global settlement proposal are a Claims Process, a Breast Implant Removal Assistance Program and a P.R.E.P.® Warranty Program. These three programs are further explained in this letter.

Our first option is our Breast Implant Removal Assistance Program which provides up to $1,200.00 towards the cost of the removal if it is medically necessary and the patient is financially unable to pay. There is no release required. To apply for this assistance, please call 1-800-442-5442.

Our P.R.E.P.® Warranty Program pertains to our SILASTIC® II and SILASTIC® M.S.I. implants which were implanted after November 1, 1986. The warranty extends for five years from the date of implantation. This program would allow up to $600.00 per implant towards the cost of revision surgery (no surgeon fees would be covered). Since we are no longer manufacturing silicone breast implants, we will consider reimbursement for implants purchased from other manufacturers. Consideration for payment will be based on the review of the invoice submitted by you. No release is required for our P.R.E.P.® Warranty Program.

Lastly, the third option is to file a claim with my office. This payment policy is based upon an examination by our laboratory of the removed implants. If it appears that the implant failed as a result of our materials or workmanship, we will assume financial responsibility for the reasonable, uninsured, out-of-pocket expenses incurred by the revision surgery. Prior to making any claim payment, we would require the patient to sign a release.

If you wanted to initiate a claim, we would need to obtain the removed sterilized implant, original and revision operative reports, and documentation of the out-of-pocket expenses. The patient would need to sign the enclosed medical authorization which would allow us to obtain the medical records. As soon as this information was received, her records would be requested. We do use a records acquisition service, Juliano & Associates, which gathers and organizes medical records for Dow Corning. Any medical records obtained will maintained in strict confidence.

Dow Corning is seriously committed to keeping the information received or discussed confidential. However, we may be asked to share information we receive with the FDA. It's our understanding that the FDA will treat this information confidentially.

Should the patient just have questions or concerns about their implants, our Implant Information Center can be reached at 1-800-442-5442. They can supply the patient with a Patient Information Packet.

Please do not hesitate to call me should you have any questions. I can be reached at 1-800-572-4472.

Sincerely,

Cindy A Varner

Cindy A. Varner
Customer Relations Specialist
Plastic Surgery Products

plm

Enclosures

AUTHORIZATION TO RELEASE MEDICAL INFORMATION

I, _____ HEREBY AUTHORIZE THIS HEALTH CARE PROVIDER TO RELEASE ANY AND ALL INFORMATION YOU MAY HAVE WITH RESPECT TO MY BREAST IMPLANT SURGERY, TREATMENT OF MY BREASTS, OR ALLEGED COMPLICATIONS AS A RESULT OF MY BREAST IMPLANTS INCLUDING, BUT NOT LIMITED TO, MEDICAL HISTORY, CONSULTATION, PRESCRIPTION OR TREATMENT, INCLUDING RADIOGRAPHS AND COPIES OF ALL DOCTOR'S OFFICE AND HOSPITAL RECORDS TO DOW CORNING CORPORATION, OR ITS REPRESENTATIVES, FROM THE RECORDS OF

_____
(Include previous names used)

BORN _____ AND PRESENTLY RESIDING AT
(Date of Birth of Patient)

_____
(Address of Patient)

THESE MEDICAL RECORDS ARE NECESSARY TO RESOLVE A CLAIM I HAVE INITIATED WITH DOW CORNING CORPORATION. IN ADDITION, I GIVE DOW CORNING AND ITS REPRESENTATIVES PERMISSION TO SPEAK DIRECTLY TO ANY AND ALL OF MY HEALTH CARE PROVIDERS.

(A copy of this authorization shall be as valid as the original)

DATED THIS _____ DAY OF _____ 19 _____.

WITNESS:
(Signature)_____

_____
Patient's signature

This Authorization will expire one year from the date above, or on the _____ day of _____, 19 _____.

REVISED: February 9, 1994
c:\wpfiles\author

PATIENT INFORMATION
(Return with Authorization)

Please Print and Complete ALL Areas to expedite gathering of medical records.

Patient's Name: _____

Present Address: _____

_____

Date of Birth: _____ Social Security #: _____

Previous Address: _____
(If you have lived at present address less than five years)

Previous names patient has used: _____

Implanting Physician and Date of Service:

Name: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Other Treating Physicians and Dates of Service:

Name: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Name: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Hospitals Where Surgery Performed and Dates of Service:

Name: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

(Use back of this sheet if necessary)

EXHIBIT E

DOW CORNING
DOW CORNING WRIGHT
P.O. BOX 100 • ARLINGTON, TN 38002

December 30, 1992

Jann Johnson, M.D.
Attention: REDACT
100 North Medical Drive, Suite 4500
Salt Lake City, UT 84113

Re: Patient Options

Dear REDACT

As we discussed on the telephone, this letter will confirm the options we have available for your patients. We would like to assure you that Dow Corning is concerned with patients who use our products and we do stand behind them.

Our first option is our Breast Implant Removal Assistance Program which provides up to $1,200.00 towards the cost of the removal if it is medically necessary and the patient is financially unable to pay. There is no release required. To apply for this assistance, please call 1-800-442-5442. Enclosed is a copy of the information sheet for this program.

The second option is our P.R.E.P.™ Warranty Program for our SILASTIC® II and SILASTIC® M.S.I. implants which were implanted after November 1, 1986. This allows the patient up to $600.00 towards the cost of the revision surgery and previously replaced the implants or credited the doctor's account. Since we are no longer manufacturing silicone breast implants, we will refund the equivalent of the purchase price of the SILASTIC® II or the SILASTIC® M.S.I. I have enclosed a copy of our P.R.E.P.™ Warranty. However, please note that we no longer require a release for our P.R.E.P.™ Program.

Lastly, the third option is to file a claim with my office. This payment policy is based upon an examination by our laboratory of the removed implants. If it appears that the implant failed as a result of our materials or workmanship, we will assume financial responsibility for the reasonable, uninsured, out-of-pocket expenses incurred by the revision surgery. Prior to making any claim payment, we would require the patient to sign a release. Our toll-free number is 1-800-446-3845.

If you wish to initiate a claim, we will need to obtain the removed sterilized implant, original and revision operative reports, and documentation of the out-of-pocket expenses.

We will provide a medical authorization for the patient to sign allowing us to obtain the medical records.

Should the patient just have questions or concerns about their implants, our Implant Information Center can be reached at 1-800-442-5442. They can supply the patient with a Patient Information Packet.

Due to the large number of telephone calls we are receiving, I know it can be difficult and frustrating trying to reach us. We do apologize and want to assure you that we are concerned about the patient's well-being and will make every effort to respond to you and the patient as quickly as possible.

Please do not hesitate to call me should you have any questions. I can be reached at 1-800-446-3845.

Sincerely,

Patricia A. Barnes
Customer Relations Specialist

PAB:jk

Enclosure

dctr

EXHIBIT F

July 12, 1993

REDACT

Dear Ms. ! y:

Per your communication, this letter confirms my willingness to work with you in resolving your claim. To begin, I am enclosing a medical authorization for your signature. This gives me written permission to contact your doctor and obtain the records needed to identify your implants.

Once I have this information, there are three options. We have a Breast Implant Removal Assistance Program which provides up to $1,200.00 towards the cost of the removal if it was medically necessary and you are financially unable to pay. Enclosed is the information sheet for this program.

The second option is our P.R.E.P.™ Warranty Program for our SILASTIC® II and SILASTIC® M.S.I. implants which were implanted after November 1, 1986. The warranty extends for five years from the date of implantation. This program would allow up to $600.00 per implant towards the cost of revision surgery (no surgeon fees would be covered). In addition to this, we will consider reimbursement for implants purchased from other manufacturers, since we no longer manufacture plastic surgery products. Consideration for payment will be based on the review of the invoice submitted by you. No release is required for our P.R.E.P.™ Warranty Program.

The third option is to file a claim with my office. This payment policy is based upon an examination by our laboratory of your removed implants. If it appears your implant failed as a result of our materials or workmanship, we will assume financial responsibility for your reasonable, uninsured, out-of-pocket expenses. Prior to making any claim payment, we would require you to a sign a release.

To proceed with a claim, please sign the enclosed medical authorization and return it to me in the envelope provided. Please include the names and addresses of the doctors who have treated your breasts. As soon as this information is received, your records will be requested. We do use a records acquisition service, Juliano & Associates, which gathers and summarizes medical records for Dow Corning. Any medical records obtained will be maintained in strict confidence.

If I can answer any questions about our claims process, please do not hesitate to call me. My toll-free number is 1-800-572-4472.

Sincerely,

Stacey M. Wagner
Customer Relations Specialist
Plastic Surgery Products

pls/Enclosures
PAT0101

AUTHORIZATION TO RELEASE MEDICAL INFORMATION

I hereby request and authorize you to disclose, whenever requested to do so by Dow Corning Corporation or its representative Juliano and Associates, any and all information you may have concerning REDACT with respect to the breast implant surgery and treatment of her breasts, including medical history, consultation, prescription or treatment, including radiographs and copies of all hospital records. A photostatic copy of this authorization shall be considered as effective and valid as the original.

THIS IS NOT A RELEASE OF ANY CLAIM I MAY HAVE.

REDACT

Date

Witness

smw

PATIENT INFORMATION
(Return with Authorization)

Please Print

Patient's Name: REDACT

Present Address: _____

_____

Date of Birth: _____ Social Security #: _____

Previous Address: _____
(If you have lived at present address less than five years)

Previous names patient has used: _____

Implanting Physician:
(Please include complete address and telephone number)

_____

_____

_____

Other Treating Physicians:
(Please include complete addresses and telephone numbers)

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_____

Hospitals Where Surgery Performed:
(Please include complete addresses and telephone numbers)

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_____

July 12, 1993

REDACT

Dear

Per our conversation, this letter confirms my willingness to work with you in resolving your claim. To begin, I am enclosing a medical authorization for your signature. This gives me written permission to contact your doctor and obtain the records needed to identify your implants.

Once I have this information, there are two options. We have a Breast Implant Removal Assistance Program which provides up to $1,200.00 towards the cost of the removal if it was medically necessary and you are financially unable to pay. Enclosed is the information sheet for this program.

The second option is to file a claim with my office. This payment policy is based upon an examination by our laboratory of your removed implants. If it appears your implant failed as a result of our materials or workmanship, we will assume financial responsibility for your reasonable, uninsured, out-of-pocket expenses. Prior to making any claim payment, we would require you to sign a release.

To proceed with a claim, please sign the enclosed medical authorization and return it to me in the envelope provided. Please include the names and addresses of the doctors who have treated your breasts. As soon as this information is received, your records will be requested. We do use a records acquisition service, Juliano & Associates, which gathers and summarizes medical records for Dow Corning. Any medical records obtained will be maintained in strict confidence.

If I can answer any questions about our claims process, please do not hesitate to call me. My toll-free number is 1-800-572-4472.

Sincerely,

Kathaleen M. Smith
Customer Relations Specialist
Plastic Surgery Products

pls
Enclosures/PAT0101A.004

AUTHORIZATION TO RELEASE MEDICAL INFORMATION

I hereby request and authorize you to disclose, whenever requested to do so by Dow Corning Corporation or its representative Juliano and Associates, any and all information you may have concerning REDACT with respect to the breast implant surgery and treatment of her breasts, including medical history, consultation, prescription or treatment, including radiographs and copies of all hospital records. A photostatic copy of this authorization shall be considered as effective and valid as the original.

THIS IS NOT A RELEASE OF ANY CLAIM I MAY HAVE.

_____
REDACT

_____
Date

_____
Witness

SMW

PATIENT INFORMATION
(Return with Authorization)

Please Print

REDACT

Patient's Name: _____

Present Address: _____

_____

Date of Birth: _____ Social Security #: _____

Previous Address: _____
(If you have lived at present address less than five years)

Previous names patient has used: _____

Implanting Physician:
(Please include complete address) _____

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_____

Other Treating Physicians:
(Please include complete addresses) _____

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July 12, 1993

RE: REDACT

Dear :

Per our telephone conversation, and on behalf of Dow Corning Corporation and Dow Corning Wright, I would like to assure you that we are concerned with the health and well being of patients who report difficulties in the use of our products. Therefore, we have a claims procedure to provide assistance should a problem occur with the use of our products. If you would like to submit a claim to Dow Corning, we will need additional information as outlined below in order to evaluate your wife's claim.

Before I explain our claims procedure, I am required to let you know about lawsuits which have been filed in federal and state courts against Dow Corning and other breast implant manufacturers by persons who claim that they suffered injuries as a result of the use of silicone breast implants. Dow Corning is defending these lawsuits and denies any liability. One of these lawsuits has been certified as a class action on behalf of all women and the spouses of women who have had silicone gel breast implants placed in their bodies. This class action lawsuit and other federal lawsuits have been transferred to the United States District Court for the Northern District of Alabama in Birmingham, Alabama under the supervision of Chief Judge Sam C. Pointer, Jr. This Multidistrict Litigation (No. 926) is called In Re Silicone Gel Breast Implants Product Liability Litigation.

The decision as to whether to pursue your wife's claim as a member of the class action, to retain your own counsel for litigation or settlement, or to attempt to resolve your wife's claim directly with Dow Corning is one which you must make without any assistance from Dow Corning. Thus, we cannot respond to any questions regarding the class action or provide you with any advice about a lawsuit.

For information on the Multidistrict Litigation or the class action, you or your attorney may contact, free of charge, the national liaison counsel for the plaintiffs. They are:

Francis H. Hare, Jr., Esq.
Office of Liaison Counsel
The Massey Building, Suite 105
Birmingham, Alabama 35203
(205) 252-6784

AUTHORIZATION TO RELEASE MEDICAL INFORMATION

I hereby request and authorize you to disclose, whenever requested to do so by Dow Corning Corporation or its representative Juliano & Associates, any and all information you may have concerning REDACT with respect to the breast implant surgery and treatment of her breasts, including medical history, consultation, prescription or treatment, including radiographs and copies of all hospital records. A photostatic copy of this authorization shall be considered as effective and valid as the original.

THIS IS NOT A RELEASE OF ANY CLAIM I MAY HAVE.

_____

REDACT

_____

Date

_____

Witness

cav

PATIENT INFORMATION
(Return with Authorization)

Please Print

Patient's Name: REDACT

Present Address: _____

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Date of Birth: _____ Social Security #: _____

Previous Address: _____
(If you have lived at present address less than five years)

Previous names patient has used: _____

Implanting Physician:
(Please include complete address and telephone number)

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Other Treating Physicians:
(Please include complete addresses and telephone numbers)

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Hospitals Where Surgery Performed:
(Please include complete addresses and telephone numbers)

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July 12, 1993

REDACT

Dear [redacted]:

On behalf of Dow Corning Corporation and Dow Corning Wright, I would like to assure you that we are concerned with the health and well being of patients who report difficulties in the use of our products. Therefore, we have a claims procedure to provide assistance should a problem occur with the use of our products. If you would like to submit a claim to Dow Corning, we will need additional information as outlined below in order to evaluate your claim.

Before I explain our claims procedure, I am required to let you know about lawsuits which have been filed in federal and state courts against Dow Corning and other breast implant manufacturers by persons who claim that they suffered injuries as a result of the use of silicone breast implants. Dow Corning is defending these lawsuits and denies any liability. One of these lawsuits has been certified as a class action on behalf of all women and the spouses of women who have had silicone gel breast implants placed in their bodies. This class action lawsuit and other federal lawsuits have been transferred to the United States District Court for the Northern District of Alabama in Birmingham, Alabama under the supervision of Chief Judge Sam C. Pointer, Jr. This Multidistrict Litigation (No. 926) is called In Re Silicone Gel Breast Implants Product Liability Litigation.

The decision as to whether to pursue your claim as a member of the class action, to retain your own counsel for litigation or settlement, or to attempt to resolve your claim directly with Dow Corning is one which you must make without any assistance from Dow Corning. Thus, we cannot respond to any questions regarding the class action or provide you with any advice about a lawsuit.

For information on the Multidistrict Litigation or the class action, you or your attorney may contact, free of charge, the national liaison counsel for the plaintiffs. They are:

Francis H. Hare, Jr., Esq.
Office of Liaison Counsel
The Massey Building, Suite 105
Birmingham, Alabama 35203
(205) 252-6784

REDACT

J. Michael Rediker, Esq.
Ritchie & Rediker, P.C.
312 North 23rd Street
Birmingham, Alabama 35203-3878
(205) 251-1288

We also want you to be aware that the court has placed certain restrictions on any telephone conversations between all breast implant manufacturers and breast implant recipients, as a safeguard against possible disputes concerning such communications. As a result, we are required to record such conversations unless you request us not to do so. Of course, you may at any time submit questions or comments to us via fax or regular mail. We understand that these procedures may be inconvenient; we sincerely appreciate your patience. If you choose to resolve your claim with Dow Corning through its claims procedure, we will be happy to work with you.

The claims process is initiated through this office and is based upon a review of all relevant medical records and our laboratory's analysis of the removed implants, if and when they are available. To that end enclosed is an Authorization to Release Medical Records. Please sign this in the presence of a witness and return it to me in the envelope provided. Include the names, addresses and phone numbers of the doctors who have treated your breasts. We do use a records acquisition service, Juliano & Associates, which gathers and summarizes medical records for Dow Corning. Any medical records obtained will be maintained in strict confidence.

Our company policy with regard to claims states that if failure appears to be related to our materials or our workmanship, we will assume financial responsibility for the reasonable, uninsured, out-of-pocket expenses associated with your corrective surgery. As soon as we receive the necessary documents needed to fairly evaluate your claim, I will contact you. Please understand that any settlement offer extended to you will be contingent upon your (and if applicable, your spouse's) signing a Release of All Claims as to Dow Corning. It is our position that if you resolve your claim with Dow Corning and sign a Release, then you will not be able to pursue any other claim against Dow Corning relating to breast implants.

REDACT

If I can answer any questions about this letter or our claims process, please do not hesitate to call me. My toll-free number is 1-800-572-4472.

Sincerely,

Kathaleen M. Smith
Customer Relations Specialist
Plastic Surgery Products

pls

Enclosures

AUTHORIZATION TO RELEASE MEDICAL INFORMATION

I hereby request and authorize you to disclose, whenever requested to do so by Dow Corning Corporation or its representative Juliano & Associates, any and all information you may have concerning REDACT with respect to the breast implant surgery and treatment of her breasts, including medical history, consultation, prescription or treatment, including radiographs and copies of all hospital records. A photostatic copy of this authorization shall be considered as effective and valid as the original.

THIS IS NOT A RELEASE OF ANY CLAIM I MAY HAVE.

_____

REDACT

_____

Date

_____

Witness

KMS

PATIENT INFORMATION
(Return with Authorization)

Please Print

Patient's Name: REDACT

Present Address: _____

_____

Date of Birth: _____ Social Security #: _____

Previous Address: _____
(If you have lived at present address less than five years)

Previous names patient has used: _____

Implanting Physician:
(Please include complete address and telephone number)

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Other Treating Physicians:
(Please include complete addresses and telephone numbers)

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Hospitals Where Surgery Performed:
(Please include complete addresses and telephone numbers)

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July 12, 1993

Tom Haas, M.D.
One Medical Center Plaza, Suite 403
225 Abraham Flexner Way
Louisville, KY 40202

Re: Patient Options - REDACT

Dear Dr. Haas:

Per your letter of May 26, 1993, this letter will confirm the options we have available for your patient. We would like to assure you that Dow Corning is concerned with patients who use our products and we do stand behind them.

Our first option is our Breast Implant Removal Assistance Program which provides up to $1,200.00 towards the cost of the removal if it is medically necessary and the patient is financially unable to pay. There is no release required. To apply for this assistance, please call 1-800-442-5442. Enclosed is a copy of the information sheet for this program.

The second option is to file a claim with my office. This payment policy is based upon an examination by our laboratory of the removed implants. If it appears that the implant failed as a result of our materials or workmanship, we will assume financial responsibility for the reasonable, uninsured, out-of-pocket expenses incurred by the revision surgery. Prior to making any claim payment, we would require the patient to sign a release.

If you wish to initiate a claim, we will need to obtain the removed sterilized implant, original and revision operative reports, and documentation of the out-of-pocket expenses. Enclosed is a medical authorization for the patient to sign allowing us to obtain the medical records. As soon as this information is received, your records will be requested. We do use a records acquisition service, Juliano & Associates, which gathers and summarizes medical records for Dow Corning. Any medical records obtained will be maintained in strict confidence.

Should the patient just have questions or concerns about their implants, our Implant Information Center can be reached at 1-800-442-5442. They can supply the patient with a Patient Information Packet.

Please do not hesitate to call me should you have any questions. I can be reached at 1-800-572-4472.

Sincerely,

Stacey M. Wagner
Customer Relations Specialist
Plastic Surgery Products

pls/Enclosures
DOC0103

AUTHORIZATION TO RELEASE MEDICAL INFORMATION

I hereby request and authorize you to disclose, whenever requested to do so by Dow Corning Corporation or its representative Juliano and Associates, any and all information you may have concerning **REDACTED** with respect to the breast implant surgery and treatment of her breasts, including medical history, consultation, prescription or treatment, including radiographs and copies of all hospital records. A photostatic copy of this authorization shall be considered as effective and valid as the original.

THIS IS NOT A RELEASE OF ANY CLAIM I MAY HAVE.

_____

REDACTED

_____

Date

_____

Witness

smw

PATIENT INFORMATION
(Return with Authorization)

Please Print

Patient's Name: REDACT

Present Address: _____

_____

Date of Birth: _____ Social Security #: _____

Previous Address: _____
(If you have lived at present address less than five years)

Previous names patient has used: _____

Implanting Physician:
(Please include complete address and telephone number)

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Other Treating Physicians:
(Please include complete addresses and telephone numbers)

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Hospitals Where Surgery Performed:
(Please include complete addresses and telephone numbers)

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July 12, 1993

Mr. Michael Crocket
The Cortinez Law Firm, P.A.
The Tower Building, Suite 1750
Fourth & Center Street
Little Rock, AR 72201

Re: Your Client - REDACT

Dear Mr. Crocket:

We have received your letter and acknowledge your representation of REDACT Per your communication, this letter will confirm the options we have available. Dow Corning is concerned about the well-being of patients who use our products and are willing to work with you to attempt to resolve this matter.

Our first option is our Breast Implant Removal Assistance Program which provides up to $1,200.00 towards the cost of the removal if it is medically necessary and the patient is financially unable to pay. There is no release required. To apply for this assistance, please call 1-800-442-5442. Enclosed is a copy of the information sheet for this program.

The second option is to file a claim with my office. To proceed with a claim, please have REDACT sign the enclosed medical authorization and return it to me in the envelope provided. Please include the names and addresses of the doctors who have treated her breasts. As soon as this information is received, REDACT's records will be requested. We do use a records acquisition service, Juliano & Associates, which gathers and summarizes medical records for Dow Corning. Any medical records obtained will be maintained in strict confidence.

In addition we will need to obtain the removed, sterilized implants for examination by our laboratory. Our company policy with regard to claims is based upon this examination. Should REDACT difficulties prove to be related to our materials or our workmanship, we will assume financial responsibility for the reasonable, uninsured, out-of-pocket expenses associated with her corrective surgery. We would also be willing to consider a claim for general damages.

If you have any questions or concerns, please feel free to call me. My number is 1-800-572-4472.

Sincerely,

Stacey M. Wagner
Customer Relations Specialist
Plastic Surgery Products

pls

Enclosures
ATT0103

July 12, 1993

Keith J. Waht, M.D.
8008 Frost Street, Suite 312
San Diego, CA 92123

Re: Patient Options | REDACT

Dear Dr. Waht:

As we discussed on the telephone, this letter will confirm the options we have available for your patient. We would like to assure you that Dow Corning is concerned with patients who use our products and we do stand behind them.

Our first option is our Breast Implant Removal Assistance Program which provides up to $1,200.00 towards the cost of the removal if it is medically necessary and the patient is financially unable to pay. There is no release required. To apply for this assistance, please call 1-800-442-5442. Enclosed is a copy of the information sheet for this program.

The second option is our P.R.E.P.™ Warranty Program for our SILASTIC® II and SILASTIC® M.S.I. implants which were implanted after November 1, 1986. The warranty extends for five years from the date of implantation. This allows the patient up to $600.00 for each implant towards the cost of the revision surgery and previously replaced the implants or credited the doctor's account. Since we are no longer manufacturing silicone breast implants, we will consider an invoice for the replacement implants. However, please note that we no longer require a release for our P.R.E.P.™ Program.

Lastly, the third option is to file a claim with my office. This payment policy is based upon an examination by our laboratory of the removed implants. If it appears that the implant failed as a result of our materials or workmanship, we will assume financial responsibility for the reasonable, uninsured, out-of-pocket expenses incurred by the revision surgery. Prior to making any claim payment, we would require the patient to sign a release.

If you wish to initiate a claim, we will need to obtain the removed sterilized implant, original and revision operative reports, and documentation of the out-of-pocket expenses. Enclosed is a medical authorization for the patient to sign allowing us to obtain the medical records. As soon as this information is received, your records will be requested. We do use a records acquisition service, Juliano & Associates, which gathers and summarizes medical records for Dow Corning. Any medical records obtained will maintained in strict confidence.

Should the patient just have questions or concerns about their implants, our Implant Information Center can be reached at 1-800-442-5442. They can supply the patient with a Patient Information Packet.

Please do not hesitate to call me should you have any questions. I can be reached at 1-800-572-4472.

Sincerely,

Stacey M. Wagner
Customer Relations Specialist
Plastic Surgery Products

pls

Enclosures

AUTHORIZATION TO RELEASE MEDICAL INFORMATION

I hereby request and authorize you to disclose, whenever requested to do so by Dow Corning Corporation or its representative Juliano and Associates, any and all information you may have concerning M REDACT n with respect to the breast implant surgery and treatment of her breasts, including medical history, consultation, prescription or treatment, including radiographs and copies of all hospital records. A photostatic copy of this authorization shall be considered as effective and valid as the original.

THIS IS NOT A RELEASE OF ANY CLAIM I MAY HAVE.

_____

REDACT

_____

Date

_____

Witness

EXHIBIT G

September 4, 1992

AUTHORIZATION TO RELEASE MEDICAL INFORMATION

I hereby request and authorize you to disclose, whenever requested to do so by Dow Corning Wright Corporation or its representative, any and all information you may have concerning Bonnie Boyette with respect to the mammary implant surgery including medical history, consultation, prescription or treatment, including X-ray plates and copies of all hospital records. A photostatic copy of this authorization shall be considered as effective and valid as the original.

THIS IS NOT A RELEASE OF ANY CLAIM I MAY HAVE.

Audrey Boyette
Witness

Bonnie Boyette
Bonnie Boyette

authoriz

EXHIBIT H

11-17-92
PCT Bonnie Boyette
(504) 767-2381
no answer

Ret'd PCT Bonnie Boyette
$129[illegible]79 is fine
explained we would have
clm made payable for each
clinic w/ amt owed & clk
to check for prescriptions -
She said that was fine

EXHIBIT I

9-11-92
PCF Bonnie Bayette

- She was still @ hospital & told her what had faxed to Patti Bancs

- She said she had no problem w/ signing a release

- told her would have hosp to send me the bills & then call her w/ amt & have a release sent out to her. Once she signed a release we would issue the check

- She said that was fine

EXHIBIT J

9-3-92 P&I of 1

PCF Bonnie Bayette

- lots of problems w/ intense chills, pain, fever.
- Ruptured
- DN like Dr. Kisner
- has hospital records + will send a copy to us.
- had attys contacted her to file class action
- no problems w/ release
- ↓ hurts when she takes a deep breath

EXHIBIT K

DOW CORNING
DOW CORNING WRIGHT
P.O. BOX 100 • ARLINGTON, TN 38002

April 14, 1992

Ms. Neldy Diaz
2688 Starwood Circle
West Palm Beach, Florida 33406

Dear Ms. Diaz:

As follow-up to your communication, this letter will confirm our willingness to work with you in resolving your claim. To begin, I am enclosing a medical authorization for your signature. This gives me written permission to contact your doctor and obtain the records needed to identify your implants.

Once I have this information, there are two options. We have a Breast Implant Removal Assistance Program which provides up to $1,200.00 towards the cost of the removal if it is medically necessary and you are financially unable to pay. To apply for this assistance, please call 1-800-442-5442.

The second option is to file a claim with my office. This payment policy is based upon an examination by our laboratory of the removed implants. If it appears your implant failed as a result of our materials or workmanship, we will assume financial responsibility for your reasonable, out-of-pocket expenses. Prior to making any claim payment, we would require you to sign a release.

To proceed with a claim, please sign the enclosed Medical Authorization and return it to me in the envelope provided. Include the names of the doctors who have treated your breasts. As soon as I receive this information, I will request your records.

I am enclosing a copy of our Patient Information Packet which I hope will be helpful in answering any questions you may have about your implants. Due to the large number of phone calls we are receiving, I know it can be difficult and frustrating trying to reach me on the telephone. I do apologize and want to assure you that we are concerned about your well-being and will make every effort to respond to you as quickly as possible.

continued.....

If I can answer any questions about our Removal Assistance Program or our claims process, please do not hesitate to call me at 1-800-238-7188.

Sincerely,

Lynn B. Diebold

Lynn B. Diebold
Customer Relations Specialist

LBD:ai

Enclosures

PAT0101

EXHIBIT L

DOW CORNING

June 7, 1993

Ms. Vy Williamson
10250 E. Mountainview, Apt. 270
Scottsdale, AZ 85258

Dear Ms. Williamson:

On behalf of Dow Corning Corporation and Dow Corning Wright, I would like to assure you that we are concerned with the health and well being of patients who report difficulties in the use of our products. Therefore, we have a claims procedure to provide assistance should a problem occur with the use of our products. If you would like to submit a claim to Dow Corning, we will need additional information as outlined below in order to evaluate your claim.

Before I explain our claims procedure, I am required to let you know about lawsuits which have been filed in federal and state courts against Dow Corning and other breast implant manufacturers by persons who claim that they suffered injuries as a result of the use of silicone breast implants. Dow Corning is defending these lawsuits and denies any liability. One of these lawsuits has been certified as a class action on behalf of all women and the spouses of women who have had silicone gel breast implants placed in their bodies. This class action lawsuit and other federal lawsuits have been transferred to the United States District Court for the Northern District of Alabama in Birmingham, Alabama under the supervision of Chief Judge Sam C. Pointer, Jr. This Multidistrict Litigation (No. 926) is called In Re Silicone Gel Breast Implants Product Liability Litigation.

The decision as to whether to pursue your claim as a member of the class action, to retain your own counsel for litigation or settlement, or to attempt to resolve your claim directly with Dow Corning is one which you must make without any assistance from Dow Corning. Thus, we cannot respond to any questions regarding the class action or provide you with any advice about a lawsuit.

For information on the Multidistrict Litigation or the class action, you or your attorney may contact, free of charge, the national liaison counsel for the plaintiffs. They are:

Francis H. Hare, Jr., Esq.
Office of Liaison Counsel
The Massey Building, Suite 105
Birmingham, Alabama 35203
(205) 252-6784

J. Michael Rediker, Esq.
Ritchie & Rediker, P.C.
312 North 23rd Street
Birmingham, Alabama 35203-3878
(205) 251-1288

We also want you to be aware that the court has placed certain restrictions on any telephone conversations between all breast implant manufacturers and breast implant recipients, as a safeguard against possible disputes concerning such communications. As a result, we are required to record such conversations unless you request us not to do so. Of course, you may at any time submit questions or comments to us via fax or regular mail. We understand that these procedures may be inconvenient; we sincerely appreciate your patience. If you choose to resolve your claim with Dow Corning through its claims procedure, we will be happy to work with you.

The claims process is initiated through this office and is based upon a review of all relevant medical records and our laboratory's analysis of the removed implants, if and when they are available. To that end, enclosed is an Authorization to Release Medical Records. Please sign this in the presence of a witness and return it to me in the envelope provided. Include the names, addresses and phone numbers of the doctors who have treated your breasts. We do use a records acquisition service, Juliano & Associates, which gathers and summarizes medical records for Dow Corning. Any medical records obtained will be maintained in strict confidence.

Our company policy with regard to claims states that if failure appears to be related to our materials or our workmanship, we will assume financial responsibility for the reasonable, uninsured, out-of-pocket expenses associated with your corrective surgery. As soon as we receive the necessary documents needed to fairly evaluate your claim, I will contact you. Please understand that any settlement offer extended to you will be contingent upon your (and if applicable, your spouse's) signing a Release of All Claims as to Dow Corning. It is our position that if you resolve your claim with Dow Corning and sign a Release, then you will not be able to pursue any other claim against Dow Corning relating to breast implants.

If I can answer any questions about this letter or our claims process, please do not hesitate to call me. My toll-free number is 1-800-572-4472.

Sincerely,

Mamie Goetterman
Customer Relations Specialist
Plastic Surgery Products

Enclosures
mmr

EXHIBIT M

RE: REFERRALS TO CUSTOMER RELATIONS - 1-800-572-4472

SUMMARY: Generally when callers state they want information on filing a claim, how to obtain money, etc., they may or may not want to talk to our Customer Relations Department. Associates will need to pre-screen the call and determine what the caller is asking for. The majority of the callers will be looking for information on either the Removal Assistance Program or the Breast Implant Global Settlement.

Situations where the caller would be referred to DC's Customer Relations department are as follows:

1. Caller has already talked to Removal Assistance and demands money/compensation.

2. Caller has already talked to Removal Assistance, states he/she does not want to hire an attorney and/or wants to work direct with Dow Corning.

3. Caller heard that DC is settling out of court.

4. Caller states his/her Doctor/friend told him/her that Dow Corning is paying more than $1200.

WHEN A CALLER ASKS THE ASSOCIATION FOR INFORMATION ON "OPTIONS", IT SHOULD BE INTERPRETED TO MEAN THE INFORMATION/SERVICES FROM IIC OR REMOVAL ASSISTANCE ARE DISCUSSED, THE LATER BY THE PROGRAM REPRESENTATIVE.

4/30/94
bms