

Filed: 2/9/2007
U.S. District Court
East Dist. of Mi Detroit

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

In Re:	§	Case No. 00-CV-00005-DT
	§	(Settlement Facility Matters)
	§	
Dow Corning Corporation,	§	Hon. Denise Page Hood
	§	
Reorganized Debtor	§	

**STIPULATION AND ORDER APPOINTING DAVID AUSTERN AS THE LIEN JUDGE
RELATING TO LIENS FILED BY THE MDL-926 CLAIMS OFFICE**

On February 18, 2005, this Court approved the “Stipulation and Order Establishing Procedures for the Review of Asserted Liens Against Settling Implant Claimants,” (Docket Number 121) (hereinafter “Stipulation and Order”). Pursuant to § 3.01 of the Stipulation and Order, the Court appointed Frank Andrews as the Lien Judge. The Stipulation and Order is silent on who will serve as the Lien Judge in the event that the current Lien Judge has a conflict of interest and is unable to serve.

The MDL-926 Claims Office has asserted liens against a number of settling implant claimants. The Lien Judge has raised a conflict of interest on ruling on these liens given his role in the MDL-926 proceedings. The Court, having jurisdiction over the assets of the SF-DCT and authority to resolve controversies and disputes regarding interpretation of the Amended Joint Plan of Reorganization and Plan Documents (see Amended Joint Plan § 8.7, and SFA §§ 4.01 and 10.09), hereby appoints David Austern to serve as the Lien Judge for the purpose of ruling on liens filed by the MDL-926 Claims Office against settling Dow Corning implant claimants.

IT IS THEREFORE ORDERED THAT David Austern shall serve as the Lien Judge on all matters relating to liens filed by the MDL-926 Claims Office against settling implant claimants pursuant to the Stipulation and Order.

Dated: February 9, 2007

/s/ Denise Page Hood

Denise Page Hood
United States District Judge

SO STIPULATED:

FOR DOW CORNING CORPORATION:

FOR THE CLAIMANTS' ADVISORY
COMMITTEE:

/s/ Deborah E. Greenspan

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