

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
Southern Division**

HEIDI LINDSEY, et al.,)	
Plaintiffs;)	
)	
-vs-)	No. CV 94-11558-S
)	
)	
DOW CORNING CORPORATION, et al.,)	
Defendants.)	

Order 27L
(Referral of Claimant Appeals)

In Paragraph 34 of the Notice of the Revised Settlement Program (“RSP”), the court provided that claimants who were dissatisfied with a decision made by the Claims Officers could appeal to the Claims Administrator and, if still dissatisfied, could seek a further review, on the basis of the record evidence, by the court or by some other person designated by the court to conduct such review. Over the past year, the court has received numerous such appeals from the Claims Administrator’s decisions. While many of these appeals have involved relatively straightforward questions concerning compliance with the deadlines or other requirements of the RSP, other appeals have required detailed review of claim files containing voluminous medical records. Due to the number of these appeals and the other demands on the court's time, claimants unfortunately have often waited several months for this review.

After consultation with Plaintiffs Liaison Counsel and Steering Committee, and consistent with the provisions of the RSP Notice, the court has decided to appoint the Honorable Frank Andrews to serve as the court’s designee for purposes of deciding all appeals from the decisions of the Claims Administrator. The court anticipates that the referral of claimant appeals to Judge Andrews will result in more prompt determination of such appeals.

This court hereby appoints the Honorable Frank Andrews to decide all appeals from the decisions of the Claims Administrator, effective May 13, 1998.¹ Judge Andrews may exercise the same degree of equitable discretion on such matters as timeliness of filings and other similar administrative questions as has been exercised by the court in conducting such reviews. Judge Andrews' decisions will be final; no appeals or reviews will be permitted from such decisions.

Inquiries concerning the status of any appeals submitted for ruling on or after that date should be

1 This court will retain and rule upon all administrative appeals submitted to the court prior to May 13, 1998.

addressed to Judge Andrews in Dallas, Texas, at (214)956-0050.

This the 19th day of May, 1998.

/s/ Sam C. Pointer, Jr.
Chief Judge Sam C. Pointer, Jr.

Service List:

Ms. Ann Cochran, Claims Administrator

Plaintiffs Liaison Counsel

Defendants Liaison Counsel