

IN THE SUPREME COURT OF BRITISH COLUMBIA

HELEN HARRINGTON, as representative Plaintiff

PLAINTIFF

DOW CORNING CORPORATION, DOW CORNING CANADA INC.,  
THE DOW CHEMICAL COMPANY, DOW CORNING-WRIGHT CORPORATION

McGHAN MEDICAL CORPORATION, McGHAN NUSIL CORPORATION,  
MINNESOTA MINING AND MANUFACTURING COMPANY (3M),  
INAMED CORPORATION, UNION CARBIDE CHEMICALS AND PLASTICS  
COMPANY INC., UNION CARBIDE CORPORATION

BAXTER INTERNATIONAL INC., BAXTER HEALTHCARE CORPORATION,  
and MENTOR CORPORATION

BRISTOL-MYERS SQUIBB COMPANY, MEDICAL ENGINEERING  
CORPORATION, THE COOPER COMPANIES, INC.

DEFENDANTS

**ORDER**

BEFORE THE HONOURABLE )  
MR. JUSTICE EDWARDS )  
MONDAY THE 26<sup>TH</sup> DAY  
OF APRIL, 2004.

UPON THE APPLICATION of the Representative Plaintiff, coming on for  
hearing at Chambers at the Courthouse at 800 Smithe Street, in the City of Vancouver, on April  
26, 2004;

**AND UPON HEARING** David A. Klein, Mark R. Steven and Kevin W. Whitley, counsel for the Plaintiff and Derek J. Mullan, Q.C., counsel for the Defendant, Dow Corning Corporation, and on reading the material filed;

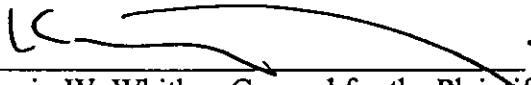
**THIS COURT ORDERS** that:


1. The parties have consented and this Court so orders that, pursuant to paragraph 7.30 of the *Dow Corning/British Columbia and Other Provinces Breast Implant Litigation Settlement Agreement* (the "Settlement Agreement"):
  - a. The firm of Deloitte & Touche LLP of 2800 – 1055 Dunsmuir Street, Vancouver, British Columbia is hereby appointed as the Claims Facility for the Settlement;
  - b. Jervis C. Rodrigues, Partner and Senior Vice-President at Deloitte & Touche, is hereby appointed as the Claims Administrator for the Settlement;
2. Pursuant to paragraph 1.3 of the Settlement Agreement, the Effective Date shall be the same date as the Effective date of the Amended Joint Plan of Reorganization of Dow Corning Corporation;
3. Pursuant to paragraph 1.40 and Exhibit E-1 Par. II of the Settlement Agreement, Class Counsel shall cause the *Notice of Approval and Effective Date* to be mailed to all registered Settlement Class Members within 10 days of the Effective Date and such notice shall be paid by Dow Corning. Subject to the approval by the Parties and the Claims Administrator the *Notice of Approval and Effective Date* shall be essentially in the form of Exhibit E-3 to the Settlement Agreement;
4. Pursuant to paragraph 1.35 of the Settlement Agreement the Initial Claim Deadline shall be the date six (6) months after the Effective Date;
5. Pursuant to paragraph 1.33 of the Settlement Agreement the Final Claim Deadline shall be the date sixty (60) months after the Effective Date.

BY THE COURT

  
REGISTRAR

APPROVED AS TO FORM:

  
Kevin W. Whitley, Counsel for the Plaintiff

  
Derek J. Mullan, Q.C., Counsel for Dow Corning Corporation, Dow Corning Canada Inc., Dow Corning-Wright Corporation

Edwards J  
Per JWHood J.

ENTERED

JUN 23 2004

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HELEN HARRINGTON, as representative Plaintiff

PLAINTIFF

AND:

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THE DOW CHEMICAL COMPANY, DOW CORNING-WRIGHT CORPORATION

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COMPANY INC., UNION CARBIDE CORPORATION

BAXTER INTERNATIONAL INC., BAXTER HEALTHCARE CORPORATION,  
MENTOR CORPORATION, and

BRISTOL-MYERS SQUIBB COMPANY, MEDICAL ENGINEERING  
CORPORATION  
THE COOPER COMPANIES, INC.

DEFENDANTS

Proceeding under the *CLASS PROCEEDINGS ACT*, 1995

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**ORDER**

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ACHESON WHITLEY CAMERON

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File No.: 5400

Court Box: 809

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**HOLD FOR CSRS**

MAY 31 2004