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October 1, 1999.

RECEIVED

OCT 4 1999

BROWNING, KALECKI
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Leo S. Ward, Esq.
P.O. Box 1697
Helena, MT 59624-1697

RE: Greg Kemp v. CIGNA Property & Casualty
WCC No. 9711-7866
Payment to Community Medical Center, Missoula Radiology, Inc.

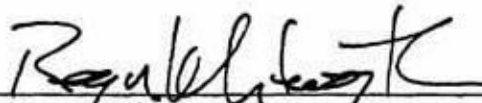
Dear Mr. Ward:

This firm represents Community Medical Center and Missoula Radiology, Inc., who provided medical care to Mr. Kemp in relation to injuries in the above-named case. Under the Court's "Order on Payment of Benefits" dated February 26, 1998, CIGNA was to withhold 20% of the payments due for medical benefits "pending [the] Court's resolution on the dual payee issue." We believe that issue has been resolved, and that the Montana Supreme Court has established that the claimant's attorney's lien attaches to payments for medical benefits only where there are insufficient compensation benefits to allow payment of the claimant's attorney's lien. *Lockhart*, 1999 MT 205.

In this case, of course, the compensation benefits were more than sufficient, and our clients are entitled to the funds withheld. Please have CIGNA remit within 10 days the 20% withheld.

Yours truly,

BALYEAT LAW OFFICES, PC

by 
Regan Whitworth

RW:hs