

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2003-0752

LAVERN BUCKLEY

Petitioner

vs.

MONTANA STATE FUND

Respondent/Insurer.

FILED

JUN - 1 2004

**OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA**

**ORDER FOR NOTIFICATION OF COMMON FUND
FEE SETTLEMENT AND HEARING DATE**

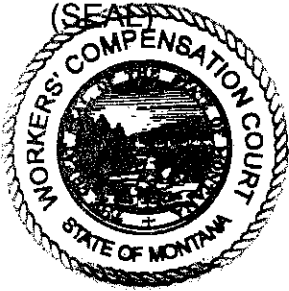
¶1 As a result of previous decisions in the above-captioned cause, Petitioner has established your right to receive additional workers' compensation benefits as a result of State Fund's miscalculation of the amount of Social Security offset to which it was entitled. You have been identified as a claimant who is entitled to additional benefits. The amount of additional benefits to which you are entitled has been determined and approved by Order of this Court. You will receive a letter from the Montana State Fund advising you of the amount of additional benefits. There is no need for you to take any action to receive this additional benefit. Please do not contact the Montana State Fund or the Court about this entitlement.

¶2 Since the petitioner in this case established the legal precedent for additional benefits, petitioner's attorneys may be entitled to recover attorneys' fees from any additional amount that is due you. Petitioner and respondent, Montana State Fund, propose that the attorneys' fees be fixed at twenty-five percent (25%) of the additional benefit set forth above. If the proposal is approved, you will receive seventy-five percent (75%) of the additional benefit set forth above. You have the right to object to the proposed amount of the attorneys' fees.

¶ At 1:00 p.m., on the 14th day of July, 2004, the Court will hold a hearing to determine the amount of the fees. The hearing will be held at the Workers' Compensation Court, 1625 11th Avenue, Helena, Montana. You have the right to be present at that hearing and to voice your support for or objection to the proposed fees. You may also file written statements supporting or objecting to the proposed fees by mailing your statement to the Workers' Compensation Court, P.O. Box 537, Helena, MT 59624-0537, no later than

After the hearing, the Court will determine what fees are due.

DATED in Helena, Montana, this 1st day of June, 2004.



Mr. M. A.

JUDGE

c: Mr. Lawrence A. Anderson
Mr. Kelly M. Wills