

Bockman, Jacqueline

To: Rex Palmer (E-mail); Larry W. Jones (E-mail); Bradley J. Luck (E-mail); Thomas J. Harrington (E-mail); Thomas E. Martello (E-mail)
Cc: Mike McCarter (E-mail); Clara Wilson (E-mail); Pat Kessner (E-mail)
Subject: Flynn Global Summons

Counsel,

I had forwarded the final draft of the Flynn Summons yesterday to you and had changed the end date to December 2002. In light of the Judge's e-mail, that date is now changed back to August 5, 2005, to be ruled on at a later date.

Jackie Bockman
Deputy Clerk
Workers' Compensation Court
jbockman@mt.gov

FILED

APR 20 2005

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2000-0222

ROBERT FLYNN

and

**CARL MILLER, Individually and on Behalf of
Others Similarly Situated**

Petitioners

vs.

MONTANA STATE FUND

Respondent/Insurer

and

LIBERTY NORTHWEST INSURANCE CORPORATION

Intervenor.

SUMMONS

The State of Montana to the following Insurers and Self-Insurers:

A T & T COMMUNICATIONS INC
A T & T CORP
AAA MOUNTAINWEST INSURANCE COMPANY
ACCEPTANCE INDEMNITY INS CO
ACCIDENT FUND INS CO OF AMERICA
ACE AMERICAN INSURANCE COMPANY
ACE AMERICAN REINSURANCE CO
ACE FIRE UNDERWRITERS INS CO
ACE INDEMNITY INSURANCE COMPANY
ACE PROPERTY & CASUALTY INS CO
ACIG INS CO
ADVANTAGE WORKERS COMP INS CO
AFFILIATED FM INSURANCE CO
AIG NATIONAL INSURANCE COMPANY
AIU INSURANCE CO
ALAMANCE INSURANCE COMPANY
ALASKA NATIONAL INS CO
ALBERTSONS INC

ALEA NORTH AMERICA INS CO
ALLIANZ GLOBAL RISKS US INSURANCE CO
ALLIED MUTUAL INSURANCE CO
ALLIED PROPERTY & CASUALTY INSURANCE
COMPANY
ALLMERICA FINANCIAL ALLIANCE INS CO
ALLSTATE INSURANCE CO
AMCO INSURANCE COMPANY
AMERICAN AGRICULTURAL INSURANCE
COMPANY
AMERICAN ALTERNATIVE INS CORP
AMERICAN AMBASSADOR CASUALTY CO
AMERICAN AUTOMOBILE INS CO
AMERICAN CASUALTY CO OF READING PA
AMERICAN CENTENNIAL INSURANCE CO
AMERICAN CENTRAL INS CO
AMERICAN COMMERCE INS CO
AMERICAN CONTINENTAL INSURANCE

COMPANY
AMERICAN ECONOMY INS CO
AMERICAN EMPLOYERS INSURANCE CO
AMERICAN FAMILY MUTUAL INSURANCE
COMPANY
AMERICAN FIRE & CASUALTY COMPANY
AMERICAN FUJI FIRE & MARINE INS CO
AMERICAN GENERAL CORP
AMERICAN GUARANTEE & LIABILITY INS CO
AMERICAN HARDWARE MUTUAL INS CO
AMERICAN HOME ASSURANCE CO
AMERICAN INS CO
AMERICAN INTERNATIONAL INSURANCE
COMPANY
AMERICAN INTERNATIONAL PACIFIC INS CO
AMERICAN INTERNATIONAL SPECIALTY LINES
INSURANCE
AMERICAN INTERSTATE INS CO
AMERICAN LIBERTY INSURANCE CO
AMERICAN MANUFACTURERS MUTUAL INS
AMERICAN MOTORISTS INSURANCE CO
AMERICAN MUTUAL INS CO OF BOSTON
AMERICAN MUTUAL LIABILITY INS CO
AMERICAN PHYSICIANS ASSURANCE CORP
AMERICAN PROTECTION INSURANCE CO
AMERICAN REINSURANCE COMPANY
AMERICAN SAFETY CASUALTY INS CO
AMERICAN STANDARD INSURANCE COMPANY
OF WISCONSIN
AMERICAN STATES INS CO
AMERICAN STATES PREFERRED
AMERICAN SUMMIT INS CO
AMERICAN TIMBER CO
AMERICAN WEST INSURANCE CO
AMERICAN ZURICH INS CO
AMERICAS INSURANCE COMPANY
AMERISURE MUTUAL INS CO
AMFAC INC
ANR FREIGHT SYSTEMS INC
ARCH INSURANCE COMPANY
ARCH REINSURANCE COMPANY
ARGONAUT INS CO
ARGONAUT MIDWEST INS CO
ARGONAUT NORTHWEST INS CO
ARMED FORCES INSURANCE EXCHANGE
ARMOUR & COMPANY OF ILLINOIS
ASARCO INC
ASH GROVE CEMENT CO
ASSOCIATED INDEMNITY CORP
ASSOCIATED LOGGERS EXCHANGE
ASSURANCE COMPANY OF AMERICA
ATHENA ASSURANCE CO
ATLANTA INTERNATIONAL INS CO
ATLANTA SPECIALTY INS CO
ATLANTIC INSURANCE COMPANY
ATLANTIC MUTUAL INSURANCE CO
ATLANTIC RICHFIELD CO
ATLANTIC SPECIALTY INS CO
ATLAS ASSURANCE CO OF AMERICA
AUDUBON INSURANCE COMPANY
AUTOMOBILE INS CO OF HARTFORD
AVOMARK INS CO
AXA CORPORATE SOLUTIONS INSURANCE CO
AXA RE AMERICA INS CO
AXIS REINSURANCE COMPANY
B F GOODRICH CO THE
B N TRANSPORT INC
BANCINSURE INC
BANKERS MULTIPLE LINE INS CO
BANKERS STANDARD FIRE & MARINE
BANKERS STANDARD INS CO
BEATRICE COMPANIES INC
BENCHMARK INS CO
BENEFIS HEALTH CARE
BERKLEY REGIONAL INSURANCE COMPANY
BIRMINGHAM FIRE INS CO OF PA
BITUMINOUS CASUALTY CORP
BITUMINOUS FIRE & MARINE INS CO
BORDEN CHEMICAL INC
BOSTON OLD COLONY INS CO
BP PRODUCTS NORTH AMERICA INC
BRISTOL WEST INSURANCE COMPANY
BROTHERHOOD MUTUAL INS CO
BROWNING FERRIS INDUSTRIES INC
BURLINGTON NORTHERN RAILROAD PROP
BUTTREY FOOD & DRUG INC
CALIFORNIA COMPENSATION INS CO
CALIFORNIA INDEMNITY INS CO
CALIFORNIA INSURANCE COMPANY
CAMDEN FIRE INSURANCE ASSOCIATION
CARRIERS INSURANCE COMPANY
CASUALTY RECIPROCAL EXCHANGE
CATERPILLAR INSURANCE COMPANY
CENTENNIAL INS CO
CENTRAL NATIONAL INS CO OF OMAHA
CENTRE INSURANCE COMPANY
CENTURION CASUALTY COMPANY
CENTURY INDEMNITY CO
CHAMPION INTERNATIONAL CORP
CHARTER OAK FIRE INS CO
CHARTWELL REINSURANCE COMPANY
CHEVRON CORP
CHICAGO BRIDGE & IRON CO
CHICAGO INSURANCE CO
CHS INC
CHUBB INDEMNITY INS CO
CHUBB NATIONAL INS CO
CHURCH MUTUAL INSURANCE CO

CIM INSURANCE CORPORATION
CIMARRON INSURANCE CO
CINCINNATI INS CO
CINCINNATI CASUALTY COMPANY
CINCINNATI INDEMNITY COMPANY
CIRCLE K CORPORATION
CITY INSURANCE CO
CLARENDON NATIONAL INS CO
CLASSIC FIRE & MARINE COMPANY
CLEARWATER INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY & SURETY
COLONIAL PENN FRANKLIN INS CO
COLUMBIA FALLS FOREST PRODUCTS INC
COLUMBUS HOSPITAL CORP
COMBINED BENEFITS INS CO
COMMERCE & INDUSTRY INS CO
COMMERCIAL CASUALTY INS CO
COMMERCIAL COMPENSATION CASUALTY INS
CO
COMMERCIAL GUARANTY CASUALTY INS CO
COMMERCIAL INS CO OF NEWARK NJ
COMMERCIAL LOAN INS CORP
COMPASS INSURANCE COMPANY
CONAGRA FOODS INC
CONNIE LEE INSURANCE CO
CONOCO INC
CONOCO PIPELINE CO
CONSOLIDATED FREIGHTWAYS CORP
CONSOLIDATED MUTUAL INS CO
CONSTITUTION INSURANCE COMPANY
CONTINENTAL BAKING CO
CONTINENTAL CASUALTY CO
CONTINENTAL INS CO
CONTINENTAL NATIONAL INDEMNITY
CONTINENTAL WESTERN INS CO
CONVERIUM INSURANCE (NORTH AMERICA)
INC
CONVERIUM REINSURANCE (NORTH
AMERICA) INC
CORE INSURANCE COMPANY
COREGIS INS CO
COSTCO WHOLESALE CORP
COUNTRY CASUALTY INS CO
COUNTRY MUTUAL INS CO
COUNTRY PREFERRED INS CO
CREDIT GENERAL INSURANCE CO
CRUM AND FOSTER INDEMNITY COMPANY
CUMIS INSURANCE SOCIETY INC
CYPRUS MINES CORPORATION
DAIMLER CHRYSLER INSURANCE COMPANY
DAIRYLAND INSURANCE COMPANY
DAKOTA FIRE INSURANCE COMPANY
DAKOTA TRUCK UNDERWRITERS
DANIELSON NATIONAL INS CO

DEPOSITORS INSURANCE COMPANY
DIAMOND INTERNATIONAL CORPORATION
DISCOVER PROPERTY & CASUALTY INS CO
DRAKE INSURANCE CO OF NEW YORK
ECONOMY FIRE & CASUALTY CO
ECONOMY PREFERRED INS CO
ECONOMY PREMIER ASSURANCE CO
ELECTRIC INS CO
EMCASCO INSURANCE COMPANY
EMPLOYEE BENEFITS INS CO
EMPLOYERS CASUALTY COMPANY IN
RECEIVERSHIP
EMPLOYERS FIRE INSURANCE CO
EMPLOYERS FIRST INSURANCE COMPANY
EMPLOYERS INS OF WAUSAU MUTUAL CO
EMPLOYERS MUTUAL CASUALTY CO
EMPLOYERS REINSURANCE CORP
ENRON CORP
ENTECH INC
ENTERPRISE INSURANCE COMPANY
ERNST HOME CENTERS
EULER AMERICAN CREDIT INDEMNITY
COMPANY
EVANS PRODUCTS CO
EVANSTON INSURANCE COMPANY
EVEREST NATIONAL INS CO
EVERGREEN NATIONAL INDEMNITY
EXCALIBUR INSURANCE COMPANY
EXECUTIVE RISK INDEMNITY INC
EXPLORER INS COMPANY
F H STOLTZE LAND & LUMBER CO
FACTORY MUTUAL INS CO
FAIRFIELD INS CO
FAIRMONT INSURANCE CO
FAIRMONT SPECIALTY INSURANCE COMPANY
FARMERS INS EXCHANGE
FARMINGTON CASUALTY CO
FARMLAND MUTUAL INS CO
FEDERAL EXPRESS CORP
FEDERAL INS CO
FEDERATED MUTUAL INSURANCE CO
FEDERATED RURAL ELECTRIC INS EXCHANGE
FEDERATED SERVICE INSURANCE CO
FEDEX GROUND PACKAGE SYSTEM INC
FIDELITY & CASUALTY CO OF NEW YORK
FIDELITY & DEPOSIT CO OF MARYLAND
FIDELITY & GUARANTY INS CO
FIDELITY & GUARANTY INS UNDERWRITERS
FIREMANS FUND INS CO
FIREMANS FUND INS CO OF OHIO
FIREMANS FUND INS CO OF WISCONSIN
FIREMENS INS CO OF NEWARK NJ
FIRST FINANCIAL INSURANCE COMPANY
FIRST LIBERTY INSURANCE CORPORATION

FIRST NATIONAL INS CO OF AMERICA
FIRST PROFESSIONALS INSURANCE
COMPANY INCORPORATE
FIRST SOUTHERN INSURANCE CO
FLORISTS MUTUAL INS CO
FLYING J INC
FOLKSAMERICA REINSURANCE COMPANY
FORT WAYNE HEALTH & CASUALTY INS CO
FORUM INSURANCE CO
FRANKENMUTH MUTUAL INS CO
FRED MEYER INC SHOPPING CENTERS
FREMONT COMPENSATION INS CO
FREMONT IND CO OF THE NORTHWEST
FREMONT INDEMNITY CO
FREMONT INDEMNITY CO
FREMONT PACIFIC INSURANCE CO
FRONTIER INSURANCE COMPANY
GEICO CASUALTY COMPANY
GEICO GENERAL INSURANCE CO
GEICO INDEMNITY COMPANY
GENERAL CASUALTY CO OF WISCONSIN
GENERAL INS CO OF AMERICA
GENERAL REINSURANCE CORP
GENERAL SECURITY INSURANCE COMPANY
GENERAL SECURITY NATIONAL INSURANCE
COMPANY
GENESIS INSURANCE COMPANY
GEORGIA PACIFIC CORP
GERLING AMERICA INSURANCE COMPANY
GLACIER GENERAL ASSURANCE CO
GLENS FALLS INSURANCE CO
GOLDEN SUNLIGHT MINES INC
GOVERNMENT EMPLOYEES INS CO
GRAIN DEALERS MUTUAL INSURANCE
COMPANY
GRANITE STATE INSURANCE CO
GRAY INSURANCE COMPANY
GRAYBAR ELECTRIC COMPANY INC
GREAT AMERICAN ALLIANCE INS CO
GREAT AMERICAN ASSURANCE CO
GREAT AMERICAN INS CO OF NEW YORK
GREAT AMERICAN INSURANCE CO
GREAT AMERICAN SPIRIT INSURANCE
COMPANY
GREAT GLOBAL ASSURANCE CO
GREAT MIDWEST INS CO
GREAT NORTHERN INS CO
GREAT WEST CASUALTY CO
GREENWICH INS CO
GREYHOUND LINES INC
GROCERS INSURANCE COMPANY
GUARANTEE INSURANCE CO
GUARANTY NATIONAL INSURANCE COMPANY
GUIDANT SPECIALTY MUTUAL INS CO

GUIDEONE MUTUAL INS CO
GULF INS CO
HANOVER INS CO
HARCO NATIONAL INSURANCE CO
HARLEYSVILLE INSURANCE COMPANY
HARTFORD ACCIDENT & INDEMNITY CO
HARTFORD CASUALTY INS CO
HARTFORD FIRE INS CO
HARTFORD INS CO OF THE MIDWEST
HARTFORD UNDERWRITERS INS CO
HEALTHCARE UNDERWRITERS MUT INS CO
HERITAGE CASUALTY INSURANCE COMPANY
HIGHLANDS INSURANCE CO
HIH AMERICA COMP & LIABILITY INS CO
HOLCIM (US) INC
HOLLY SUGAR CORP
HOLY ROSARY HOSPITAL
HOME INDEMNITY CO THE
HOME INSURANCE CO
HOMELAND CENTRAL INSURANCE CO
HOMESITE INSURANCE COMPANY
HORIZON CMS HEALTHCARE CORP
HOUSTON GENERAL INSURANCE CO
HUDSON INSURANCE COMPANY
ICM INSURANCE COMPANY
IDEAL CEMENT CO
IDEAL MUTUAL INSURANCE CO
IGF INSURANCE COMPANY
ILLINOIS NATIONAL INSURANCE COMPANY
IMPERIAL CASUALTY & INDEMNITY COMPANY
INDEMNITY INS CO OF NORTH AMERICA
INDIANA LUMBERMENS MUTUAL INS CO
INDUSTRIAL UNDERWRITERS INS CO
INSURANCE COMPANY OF NORTH AMERICA
INSURANCE COMPANY OF STATE OF PA
INSURANCE COMPANY OF THE WEST
INSURANCE CORPORATION OF AMERICA
INSURANCE CORPORATION OF HANNOVER
INSURANCE CORPORATION OF NEW YORK
INTEGON NATIONAL INSURANCE COMPANY
INTERCONTINENTAL INSURANCE CO
INTERMOUNTAIN INSURANCE CO
INTERNATIONAL HARVESTER COMPANY
INTERNATIONAL INDEMNITY CO
INTERNATIONAL INSURANCE CO
INTERNATIONAL PAPER CO
INTERSTATE BRANDS CORP
IOWA MUTUAL INSURANCE CO
J C PENNEY CORP INC
J H KELLY INC
J H KELLY L L C
J NEILS LUMBER CO
K MART CORP
KAISER CEMENT CORPORATION

KALISPELL POLE & TIMBER CO
KANSAS CITY FIRE & MARINE INS CO
KEMPER CASUALTY INS CO
KROGER CO THE
L H C INC
L PETER LARSON CO
LANCER INSURANCE COMPANY
LAURIER INDEMNITY COMPANY
INCORPORATED
LEADER INSURANCE COMPANY
LEGION INSURANCE CO
LES SCHWAB TIRE CENTERS OF MONT INC
LEXINGTON INSURANCE COMPANY
LEXON INSURANCE COMPANY
LIBERTY INS CORP
LIBERTY INS UNDERWRITERS INC
LIBERTY MUTUAL FIRE INS CO
LIBERTY MUTUAL INS CO
LIBERTY NORTHWEST INS CORP
LITTLE THOMPSON LOGGING CO INC
LM INS CORP
LOUISIANA PACIFIC CORP
LUCENT TECHNOLOGIES INC
LUMBER MUTUAL INSURANCE CO
LUMBERMENS MUTUAL CASUALTY CO
LUMBERMENS UNDERWRITING ALLIANCE
LYNDON PROPERTY INSURANCE COMPANY
MACO WORKERS COMP TRUST
MAJESTIC INSURANCE COMPANY
MANUFACTURES ALLIANCE INS CO
MARKEL INSURANCE COMPANY
MARYLAND CASUALTY CO
MEDICAL ASSURANCE CO INC
MERASTAR INSURANCE CO
METROPOLITAN DIRECT PROP & CAS INS
METROPOLITAN GENERAL INS CO
METROPOLITAN PROP & CAS INS CO
MHA WORKERS COMP TRUST
MIC GENERAL INS CORP
MIC PROPERTY & CASUALTY INS CORP
MICHIGAN MILLERS MUTUAL INSURANCE
COMPANY
MID CENTURY INS CO
MIDDLESEX INS CO
MIDLAND FOODS INC
MIDLAND INSURANCE CO
MIDWEST EMPLOYERS CASUALTY CO
MILLERS FIRST INSURANCE COMPANY
MILLERS INSURANCE COMPANY
MILLERS NATIONAL INSURANCE CO
MISSION AMERICAN INSURANCE CO
MISSION INSURANCE CO
MISSOULA COUNTY
MISSOULA COUNTY WC GROUP INS

AUTHORITY
MITSUI SUMITOMO INS CO OF AMERICA
MITSUI SUMITOMO INS USA INC
MODERN SERVICE INSURANCE COMPANY
MONTANA CONTRACTOR COMP FUND
MONTANA ELECTRIC & TELEPHONE POOL
MONTANA HEALTH NETWORK WC INS TRUST
MONTANA INS GUARANTY ASSOC
MONTANA LOGGERS EXCHANGE
MONTANA MUNICIPAL INS AUTHORITY
MONTANA POWER CO
MONTANA RESOURCES
MONTANA SCHOOLS GROUP INS AUTHORITY
MONTANA STATE FUND
MONTGOMERY WARD & CO INC
MONUMENTAL GENERAL CASUALTY CO
MOTORS INSURANCE CORPORATION
MOUNTAIN WEST FARM BUREAU MUT INS CO
MUS SELF-FUNDED WORK COMP PROGRAM
NABISCO INC
NATIONAL AMERICAN INS CO
NATIONAL AMERICAN INS CO OF CA
NATIONAL AUTOMOBILE & CASUALTY INS
NATIONAL COLONIAL INS, IN LIQUIDATION
NATIONAL CONTINENTAL INSURANCE CO
NATIONAL FARMERS UNION PROP & CAS
NATIONAL FIRE INS CO OF HARTFORD
NATIONAL GENERAL INS CO
NATIONAL INDEMNITY COMPANY
NATIONAL INSURANCE ASSOCIATION
NATIONAL INSURANCE UNDERWRITERS
NATIONAL INTERSTATE INS CO
NATIONAL SURETY CORP
NATIONAL UNION FIRE INS OF PITTSBURGH
NATIONWIDE AFFINITY INS CO OF AMER
NATIONWIDE AGRIBUSINESS INS CO
NATIONWIDE INS CO OF AMERICA
NATIONWIDE MUTUAL FIRE INSURANCE CO
NATIONWIDE MUTUAL INSURANCE CO
NATIONWIDE PROPERTY & CASUALTY INS CO
NAVIGATORS INSURANCE COMPANY
NEW HAMPSHIRE INS CO
NIAGARA FIRE INS CO
NICHIDO FIRE & MARINE INS CO
NL INDUSTRIES
NN INSURANCE COMPANY
NORTH AMERICAN ELITE INSURANCE
NORTH AMERICAN SPECIALTY INS CO
NORTH RIVER INS CO
NORTH STAR REINSURANCE CORPORATION
NORTHBROOK INDEMNITY CO
NORTHERN ASSURANCE CO OF AMERICA
NORTHERN INS CO OF NEW YORK
NORTHLAND CASUALTY COMPANY

NORTHLAND INSURANCE COMPANY
NORTHWEST HEALTHCARE CORP
NORTHWESTERN CORPORATION
NORTHWESTERN ENERGY L L C
NORTHWESTERN NATIONAL CASUALTY CO
NORTHWESTERN NATIONAL INS CO OF MIL
OCCIDENTAL FIRE & CASUALTY CO OF NC
ODYSSEY AMERICA REINSURANCE CORP
OHIO CASUALTY INSURANCE COMPANY
OHIO SECURITY INSURANCE COMPANY
OLD REPUBLIC INS CO
OLD REPUBLIC SECURITY ASSURANCE
COMPANY
ONE BEACON AMERICA INSURANCE CO
ONE BEACON INS CO
OVERSEAS PARTNERS US REINSURANCE
P I E NATIONWIDE INC
P P G INDUSTRIES INC
PACIFIC EMPLOYERS INSURANCE CO
PACIFIC INDEMNITY CO
PARTNER REINS CO OF NEW YORK
PAY N SAVE CORP
PEABODY COAL CO
PENN STAR INSURANCE COMPANY
PENNSYLVANIA CASUALTY COMPANY
PENNSYLVANIA GENERAL INS CO
PENNSYLVANIA MANUFACTURERS ASSOC
PENNSYLVANIA MANUFACTURERS INDEMNITY
COMPANY
PENNSYLVANIA NATIONAL MUTUAL CASUALTY
PERMANENT GENERAL ASSURANCE CORP
PETROLEUM CASUALTY CO
PHARMACIST MUTUAL INS CO
PHICO INSURANCE CO
PHILLIPS PETROLEUM CO
PHOENIX INS CO
PLATTE RIVER INSURANCE COMPANY
PLUM CREEK MGMT CO LP
PLUM CREEK TIMBER CO INC
PLUM CREEK TIMBER CO LP
PREFERRED PROFESSIONAL INSURANCE
COMPANY
PROFESSIONALS ADVOCATE INS CO
PROGRESSIVE CASUALTY INS CO
PROPERTY & CASUALTY INS CO OF
HARTFORD
PROTECTIVE INS CO
PROTECTIVE NATIONAL INSURANCE
COMPANY OF OMAHA
PROVIDENCE WASHINGTON INS CO
PUBLIC SERVICE MUTUAL INS CO
QBE INSURANCE CORPORATION
QUADRANT INDEMNITY COMPANY
QUANTA INDEMNITY COMPANY

QWEST CORPORATION
RAMPART INSURANCE COMPANY
RECIPROCAL OF AMERICA INS CO
REDLAND INSURANCE COMPANY
REGENT INSURANCE CO
RELIANCE DIRECT INS CO
RELIANCE INSURANCE CO
RELIANCE NATIONAL INDEMNITY CO
RELIANCE NATIONAL INSURANCE CO
RELIANCE UNIVERSAL INS CO
REPUBLIC INDEMNITY CO OF AMERICA
REPUBLIC INDEMNITY CO OF CA
REPUBLIC WESTERN INSURANCE CO
ROCHDALE INS CO
ROCKWOOD INSURANCE CO
ROSAUERS SUPERMARKETS INC
ROSEBURG FOREST PRODUCTS CO
ROYAL INDEMNITY COMPANY
RYDER SYSTEMS INC
SAFECO INSURANCE CO OF ILLINOIS
SAFECO INSURANCE COMPANY OF AMERICA
SAFETY FIRST INS CO
SAFETY NATIONAL CASUALTY CORP
SAFEWAY INC
SAFEWAY STORES INC
SAGAMORE INSURANCE COMPANY
SCIF HORSERACING
SCOR REINSURANCE COMPANY
SEABOARD SURETY COMPANY
SEABRIGHT INSURANCE COMPANY
SEARS ROEBUCK & CO
SEATON INSURANCE CO
SECURITY INS CO OF HARTFORD
SECURITY MUTUAL CASUALTY
SECURITY NATIONAL INS CO
SELECT INSURANCE CO
SENTINEL INSURANCE COMPANY LTD
SENTRY INS MUTUAL CO
SENTRY SELECT INS CO
SERVICE INSURANCE COMPANY
SHELBY CASUALTY INS CO
SHELL PIPELINE CORP
SHELL WESTERN E & P
SIRIUS AMERICAN INS CO
SISTERS OF CHAR OF PROV OF MT
SISTERS OF CHARITY OF LEAVENWORTH
HEALTH SYSTEM
SKAGGS ALPHA BETA
SMURFIT STONE CONTAINER ENTERPRISES
INC
SOMPO JAPAN INS CO OF AMERICA
SOUTHERN INSURANCE COMPANY
SPECIALTY NATIONAL INS CO
ST JOSEPH HOSPITAL CORP

ST PATRICK HOSPITAL & HEALTH SCIENCES
CTR
ST PAUL FIRE & MARINE INS CO
ST PAUL GUARDIAN INS CO
ST PAUL MEDICAL LIABILITY INS CO
ST PAUL MERCURY INS CO
ST PAUL PROTECTIVE INSURANCE COMPANY
ST REGIS PAPER CO
ST THOMAS CHILD & FAMILY CNTR
STAN WATKINS TRUCKING INC
STANDARD FIRE INS CO
STAR INS CO
STARNET INSURANCE COMPANY
STATE FARM FIRE & CASUALTY CO
STATE FARM GENERAL INS CO
STATE FARM MUTUAL AUTOMOBILE INS CO
STILLWATER MINING CO
STOLTZE CONNER LUMBER CO
STONEBRIDGE CASUALTY INSURANCE
COMPANY
STONEWALL INSURANCE COMPANY
STONINGTON INSURANCE COMPANY
SUPERIOR NATIONAL INS CO
SWISS REINSURANCE AMERICA CORP
TARGET CORP
TECHNOLOGY INS CO INC
TECK COMINCO AMERICAN INC
TEXAS EMPLOYERS INDEMNITY CO
TEXAS GENERAL INDEMNITY CO
THE INSURANCE COMPANY
TIG INSURANCE CO
TIG PREMIER INSURANCE CO
TOKIO MARINE & FIRE INSURANCE CO
TOWN PUMP INC
TRADERS & GENERAL INS CO
TRANS PACIFIC INSURANCE COMPANY
TRANSCONTINENTAL INS CO
TRANSGUARD INS CO OF AMERICA INC
TRANSIT CASUALTY CO
TRANSPORT INSURANCE CO
TRANSPORTATION INS CO
TRAVELERS CAS & SURETY CO OF AMER
TRAVELERS CASUALTY & SURETY CO
TRAVELERS CASUALTY CO OF CONN
TRAVELERS CASUALTY INS CO OF AMERICA
TRAVELERS COMMERCIAL CASUALTY
COMPANY
TRAVELERS COMMERCIAL INS CO
TRAVELERS IND CO OF AMERICA
TRAVELERS INDEMNITY CO
TRAVELERS INDEMNITY CO OF CT
TRAVELERS PROPERTY & CASUALTY INS CO
TRAVELERS PROPERTY CAS CO OF AMERICA
TRIAD GUARANTY INSURANCE COMPANY

TRINITY UNIVERSAL INS CO OF KANSAS
TRINITY UNIVERSAL INSURANCE CO
TRITON INSURANCE COMPANY
TRUCK INS EXCHANGE
TRUMBULL INSURANCE CO
TWIN CITY FIRE INS CO
ULICO CASUALTY COMPANY
UNIGARD INSURANCE CO
UNION INS CO OF PROVIDENCE
UNION INSURANCE COMPANY
UNION OIL COMPANY OF CA
UNION TANK CAR CO
UNITED COMMUNITY INSURANCE CO
UNITED PACIFIC INSURANCE CO
UNITED STATES FIDELITY & GUARANTY CO
UNITED STATES FIRE INS CO
UNITED STATES LIABILITY INS CO
UNITED STATES WISCONSIN INS CO
UNIVERSAL UNDERWRITERS INS CO
UNIVERSITY OF GREAT FALLS
US SPECIALTY INS CO
USX CORPORATION
UTICA MUTUAL INS CO
VALIANT INSURANCE COMPANY
VALLEY FORGE INS CO
VALOR INSURANCE COMPANY INC
VANLINER INS CO
VEREX ASSURANCE INC
VIGILANT INSURANCE CO
VILLANOVA INSURANCE COMPANY
VILLANOVA INSURANCE COMPANY
VIRGINIA SURETY CO INC
WARNER INSURANCE COMPANY
WASATCH CREST MUTUAL INS CO
WASHINGTON CASUALTY COMPANY
WATKINS & SHEPARD TRUCKING INC
WAUSAU BUSINESS INS CO
WAUSAU UNDERWRITERS INS CO
WAVERLEY MONTANA INC
WESCO INSURANCE COMPANY
WEST AMERICAN INSURANCE COMPANY
WESTCHESTER FIRE INSURANCE CO
WESTERN AGRICULTURAL INS CO
WESTERN CONTINENTAL INS CO
WESTERN DIVERSIFIED CASUALTY INS
WESTERN EMPLOYERS INS CO
WESTERN ENERGY CO
WESTERN FRUIT EXPRESS CO
WESTERN SUGAR COMPANY (THE)
WESTERN UNION TELEGRAPH CO
WESTPORT INS CORP
WILLIAMSBURG NATIONAL INS CO
WORLDWIDE INSURANCE COMPANY
XL INS CO OF NEW YORK INC

XL INSURANCE AMERICA INC
XL REINSURANCE AMERICA
XL SPECIALTY INS COMPANY
YORK INSURANCE COMPANY
YOSEMITE INSURANCE COMPANY
ZENITH INS CO
ZURICH AMERICAN INS CO
ZURICH AMERICAN INS CO OF ILLINOIS

¶1 On February 23, 2004, each of you named in this Summons was sent a Lien Notice notifying you of the attorney fee lien claimed by the petitioners' attorneys in the above-captioned action. The claimed lien is with respect to benefits that are payable as a result of the Montana Supreme Court's decision in *Flynn v. State Compensation Ins. Fund*, 2002 MT 279, 312 Mont. 410, 60 P.3d 397. That decision held that an insurer is liable for one-half of the attorney fees a claimant incurs in obtaining social security disability benefits which are offset by the insurer against his or her workers' compensation benefits.

¶2 Each of you named in this Summons has been identified by the Montana Department of Labor and Industry (DLI) as insurers or self-insurers providing workers' compensation insurance coverage in the State of Montana on or after July 1, 1974, which is the time frame covered by the lien asserted in this case. Accordingly, each of you named in this Summons is **ordered** to continue to withhold the attorney fees claimed in the lien notice, another copy of which is attached hereto.

¶3 By this Summons, each of you is made a respondent to these proceedings and **ordered** to file a **response** to the Summons. Your response must be mailed to the Workers' Compensation Court, P.O. Box 537, Helena, MT 59624-0537, or delivered to the Court at its offices on 1625 Eleventh Ave., Helena, Montana, by **[date 45 days hence]**.

¶4 If you dispute the entitlement of claimants insured by you to additional benefits under the *Flynn* decision, then your response must set forth the particular grounds and defenses you may have and you need not at present provide the information required in the next paragraph numbered as 5.

¶5 If you do not dispute the application of *Flynn* to claimants you insured and who incurred attorney fees in obtaining social security benefits used to offset their workers' compensation benefits, then your response should so state. In addition, unless you are unable to do so within the time provided for your response, provide the following information:

- ¶5a The name, address, claim number, and date of injury or occupational disease for all claimants whose benefits you have offset on account of social security benefits at any time since June 30, 1974, and prior to the date of this Summons.
- ¶5b If you have credited or paid any claimants your share of attorney fees required under *Flynn*, the date and amount of the credit or payment made as to each such claimant.
- ¶5c Which of the claims identified in paragraph 5a have been settled and the date of settlement. As to claims which have been settled since August 5, 2003, please provide copies of the settlement documents.

If you are unable to provide the required information within the time provided for your response or are uncertain whether the methodology available to you to identify such claimants and their entitlements will satisfy petitioners' counsel and the Court, then your response should so state. However, you should further state how you propose to identify the claimants and determine their entitlements and indicate the amount of additional time needed to do so.

¶6 You need not serve copies of your response on the attorneys in this case as the Court will take responsibility for such service. Information you provide with respect to individual claimants will not be provided to persons other than petitioners' counsel. Information concerning individual claimants will be provided to petitioners' counsel only pursuant to a confidentiality order restricting any further dissemination of the information.

¶7 Failure to respond to this Summons within the time provided may result in legal determinations being made without your participation but which are binding upon you and may result in further action by the Court to enforce those determinations against you.

DATED in Helena, Montana, this _____ day of April, 2005.

JUDGE

Attachment: Notice of Claim of Attorney Lien; Amended Notice of Attorney's Lien