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OFFICE OF WORKERS COMPENSATION JUDGE HELENA MONTANA

February 17, 2006

Hon. Judge Shea Workers' Compensation Court PO Box 537 Helena, MT 59624-0537

RE: Flynn/Miller v. Montana State Fund WCC No. 2000-0222

Dear Judge Shea:

I am writing to echo Tom Murphy's objection to Brad Luck's suggestion that the briefs in Flynn be forwarded to the Supreme Court. Apparently, Mr. Luck does not feel the Supreme Court has enough information to make its decision.

The Supreme Court has not asked for any additional information and therefore, apparently feels that the briefing was adequate in *Stavenjord*. Mr. Luck is requesting that he have a second bite of the apple and I think it is inappropriate under the circumstances. It is also a bit ironic in light of the position taken by him on behalf of the State Fund in *Satterlee*, that additional cost evidence should not be presented to this Court.

Thank you for your attention in this matter.

Sincerely,

**HUNT LAW FIRM** 

BY:

JAMES G HUNT

JGH:cw

c: Mr. Rex L. Palmer

Mr. Larry Jones

Ms. Nancy Butler (Claim No. 3-93-20753-5)

Mr. Tom Murphy Mr. Brad Luck