

FILED

MAR 29 2006

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

Rex Palmer
ATTORNEYS INC., P.C.
301 W Spruce
Missoula, MT 59802
(406) 728-4514
ATTORNEYS FOR PLAINTIFF

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

<i>Robert Flynn and</i>)	WCC No. 2000-0222
)	
<i>Carl Miller, Individually and on</i>)	
<i>Behalf of Others Similarly</i>)	PETITIONERS' RESPONSE TO
<i>Situated,</i>)	VARIOUS AFFIDAVITS
<i>Petitioners,</i>)	
v.)	
)	
<i>Montana State Fund,</i>)	
<i>Respondent/Insurer,</i>)	
<i>and</i>)	
)	
<i>Liberty Northwest Insurance</i>)	
<i>Company,</i>)	
<i>Intervenor.</i>)	

* * * * *

COME NOW Plaintiffs and provide their response to various of the Affidavits filed in this action.

Based on the allegations in the affidavits filed by the representatives of each of the respective Respondents, Petitioners have no objection to the dismissal without prejudice of the following insurers.

1. Lyndon Property Ins. [Affidavit filed December 12, 2005, WCC docket no. 392]
2. Quanta Indemnity Company [Affidavit filed December 12, 2005, WCC docket no. 393]
3. Triad Guaranty Insurance Corporation [Affidavit filed December 12, 2005, WCC docket no. 394]
4. Armed Forces Insurance Exchange (AIFE) [Affidavit filed December 15, 2005, WCC docket no. 396]
5. Gerling America Insurance Company [Affidavit filed December 20, 2005, WCC docket no. 400]
6. Caterpillar Insurance Company [Affidavit filed December 23, 2005, WCC docket no. 401]
7. Brotherhood Mutual [Affidavit filed January 3, 2006, WCC docket no. 408]
8. American Agricultural Insurance Company [Affidavit filed January 3, 2006, WCC docket no. 409]
9. Americas Insurance Company (AIC) [Affidavit filed January 12, 2006, WCC docket no. 415]
10. SeaBright Insurance Company (SeaBright) [Affidavit filed January 23, 2006, WCC docket no. 424]
11. Evergreen National Indemnity Company [Affidavit filed January 24, 2006, WCC docket no. 428]

12. Starnet Insurance Company [Affidavit filed January 26, 2006, WCC docket no. 433]
13. Berkley Regional Insurance Company [Affidavit filed January 26, 2006, WCC docket no. 435]
14. Yosemite Insurance Company [Affidavit filed January 30, 2006, WCC docket no. 449]
15. Triad Guaranty Insurance Corporation [Affidavit filed December 9, 2005, WCC docket no. 394]
16. Gerling America Insurance Company [Affidavit filed December 20, 2005, WCC docket no. 400]
17. Starnet Insurance Company [Affidavit filed December 1, 2006, WCC docket no. 381]
18. Berkley Regional Insurance Company [Affidavit filed January 26, 2006, WCC docket no. 435]
19. American Agricultural Insurance Company (AAIC) [Affidavit filed January 30, 2006, WCC docket no. 409]
20. Caterpillar Insurance Company [Affidavit filed December 23, 2005, WCC docket no. 401]
21. North American Elite Insurance Company [Affidavit filed February 22, 2006, WCC docket no. 469]
22. Fort Wayne Health and Casualty Insurance Company [Affidavit filed

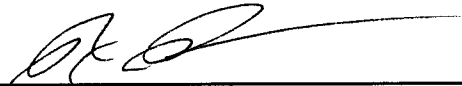
February 22, 2006, WCC docket no. 470]

23. Swiss Reinsurance America Corporation (SRA) [Affidavit filed February 22, 2006, WCC docket no. 471]
24. The Navigators Group, Inc. [Affidavit filed February 22, 2006, WCC docket no. 472]
25. Great Midwest Ins. Co. [Affidavit filed March 21, 2006, WCC docket no. 503]
26. AXA Corporate Solutions Insurance Company (ACSIC) [Affidavit filed December 16, 2005, WCC docket no. 397]
27. FM Global [Affidavit filed January 27, 2006, WCC docket no. 439]
28. Affiliated FM Insurance Company [Affidavit filed January 27, 2006, WCC docket no. 439]
29. Factory Mutual Insurance Company [Affidavit filed January 27, 2006, WCC docket no. 439]
30. Grain Dealers Mutual Insurance Company [Affidavit filed February 7, 2006, WCC docket no. 458]
31. Allianz Global Risks US Insurance Co. [Affidavit filed January 13, 2006, WCC docket no. 416]
32. The Protective National Insurance Company of Omaha [Affidavit filed January 27, 2006, WCC docket no. 437]
33. The Cental National Insurance Company [Affidavit filed January 27,

2006, WCC docket no. 438]

34. Casualty Reciprocal Exchange [Affidavit filed January 17, 2006, WCC docket no. 419]
35. Legion Insurance Company [Affidavit filed January 23, 2006, WCC docket no. 425]

DATED this 27th day of March, 2006.



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March 27, 2006

Patricia J. Kessner
Clerk of Court
Workers' Compensation Court
PO Box 537
Helena, MT 59624-0537

Re: *Flynn/Miller v. State Fund*

Dear Patricia:

Enclosed please find original PETITIONERS' RESPONSE TO VARIOUS AFFIDAVITS dated March 27, 2006.

If you have any questions or concerns, please do not hesitate to contact this office.

Sincerely,
ATTORNEYS INC., P.C.



Rex Palmer

RP:mve
Enclosure