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**FILED**

MAY - 2 2006

Attorneys for Bankers Multiple Line Insurance Company

OFFICE OF  
 WORKER'S COMPENSATION JUDGE  
 HELENA, MONTANA

**IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA**

ROBERT FLYNN and CARL MILLER,  
 Individually and on Behalf of Others  
 Similarly Situated,

WCC No. 2000-0222

Petitioners,

v.

**AFFIDAVIT OF  
 DARREL M. SEIFE**

MONTANA STATE FUND,

Respondent/Insurer,

and

LIBERTY NORTHWEST INSURANCE  
 CORPORATION,

Intervenor.

STATE OF CONNECTICUT     )  
   : ss.  
 County of Fairfield         )

I, Darrel M. Seife, being first duly sworn upon oath, depose and say:

1. I, Darrel M. Seife, am the Assistant Secretary and Counsel of Bankers Multiple Line Insurance Company (BML), 177 Broad Street, 9th Floor, Stamford, Connecticut 06901-2048.

2. In my capacity as Assistant Secretary and Counsel of BML, I am authorized to make, to the best of my knowledge, the statements set forth in this affidavit on behalf of BML and to bind BML by these statements.

DOCKET ITEM NO. 516

3. After a diligent and good faith review by BML of its corporate records, I swear under oath that BML should be dismissed from the above-entitled action for any or all of the following reasons.

- BML has never written workers' compensation insurance in the state of Montana;
- BML does not have any pending or closed Montana workers' compensation claims;
- BML has no claimants meeting the Court's criteria in this matter as set forth in the summons.

4. I understand that the Montana Workers' Compensation Court may allow a period of up to 90 days from the date of filing this affidavit within which counsel for Petitioner[s] may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement(s) made by me on behalf of Bankers Multiple Line Insurance Company. After such 90 days, if no objection is lodged by counsel for Petitioner[s], the Court will dismiss BML from this action based on the sworn statements made by me in this Affidavit.

5. I declare under penalty of perjury that the foregoing is correct.

DATED this 25<sup>th</sup> day of April, 2006



Darrel M. Seife  
Assistant Secretary and Counsel

SIGNED AND SWORN TO before me on April 25,  
2006, by Darrel M. Seife.



Notary Public for the State of Connecticut  
Printed Name: Jill E. DeLeo  
Residing at: 147 Pepper Ridge Rd  
My Commission Expires: 06/30/2010

**JILL E. DELEO**  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES JUNE 30, 2010