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**FILED**

OCT 17 2006

OFFICE OF  
WORKERS' 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,

Petitioners,

v.

MONTANA STATE FUND,

Respondent/Insurer,

and

LIBERTY NORTHWEST INSURANCE  
CORPORATION,

Intervenor.

WCC No. 2000-0222

**STIPULATION TO STAY EXECUTION**

**Petitioners and the Montana State Fund, through counsel, stipulate and agree, as follows:**

**The Montana State Fund intends to file a Notice of Appeal regarding the Order Determining Status of Final, Closed, and Inactive Claims, dated September 29, 2006. The parties agree to the entry of an Order staying execution of the decision, pending appeal.**

DOCKET ITEM NO. 543

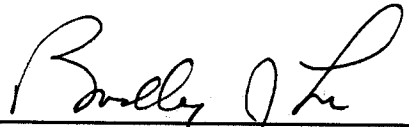
Petitioners are aware that other parties or intervenors intend to join in the appeal of the noted Order. Petitioners intend the agreement regarding a stay to apply to all parties.

Petitioners agree that no supersedeas bond or undertaking on appeal is necessary from any party.

The parties shall present this Stipulation to the Court and request the entry of a Stay Order.

DATED this 16<sup>th</sup> day of October, 2006.

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By   
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DATED this 13 day of Oct., 2006.

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October 16, 2006

Ms. Clara Wilson, Clerk  
Workers' Compensation Court  
P.O. Box 537  
Helena, MT 59624-0537

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

A. Craig Eddy, MD, JD  
Of Counsel - Health Law

J. C. Garlington  
1908 - 1995

Sherman V. Lohn  
(Retired)

R. H. "Ty" Robinson  
(Retired)

Dear Clara:

Enclosed for filing is a Stipulation to Stay Execution in the captioned matter. We also enclose a proposed Order Staying Execution for the Court's consideration. After the Court issues a stay order, please file the enclosed Notice of Appeal. If you have any questions, please call.

Very truly yours,

GARLINGTON, LOHN & ROBINSON, PLLP

  
Bradley J. Luck

BJL:kbb

Enclosure

c: Tom Martello/Greg Overturf  
Rex Palmer  
Larry Jones