

Steven W. Jennings  
Crowley, Haughey, Hanson,  
Toole & Dietrich P.L.L.P.  
P. O. Box 2529  
Billings, MT 59103-2529  
(406) 252-3441

Attorneys for the following Insurers:

American Alternative Insurance Corp.  
American Re-Insurance Company  
Centre Insurance Company  
Clarendon National Insurance Company  
Everest National Insurance Company  
Markel Insurance Company  
Evanston Insurance Company  
SCOR Reinsurance Company  
General Security Insurance Company  
General Security National Insurance Company  
Penn Star Insurance Company  
Fairfield Insurance Company  
General Reinsurance Corp.  
Genesis Insurance Company  
North Star Reinsurance Corp.  
XL Insurance America, Inc.  
XL Insurance Company of New York  
XL Reinsurance America  
XL Specialty Insurance Company  
Greenwich Insurance Company  
Truck Insurance Exchange  
Mid Century Insurance Company  
Farmers Insurance Exchange  
American Guarantee & Liability Insurance Company  
American Zurich Insurance Company  
Assurance Company of America  
Colonial American Casualty & Surety  
Fidelity & Deposit Company of Maryland  
Maryland Casualty Company  
Northern Insurance Company of New York  
Valiant Insurance Company  
Zurich American Insurance Company  
Zurich American Insurance Company of Illinois

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

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

Petitioners,

vs.

MONTANA STATE FUND *et al.*,

Respondents/Insurers,

and

LIBERTY NORTHWEST INSURANCE  
CORPORATION,

Intervenor.

WCC No. 2000-0222

NOTICE OF APPEAL

**FILED**

OCT 31 2006

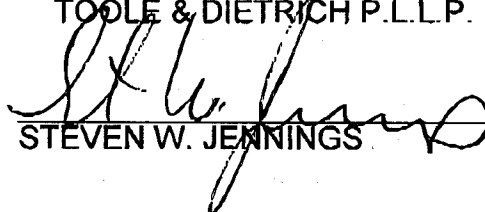
OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

Notice is hereby given that the above named Insurers hereby appeal to the Supreme Court of the State of Montana from the Montana Workers' Compensation Court's Order Determining Status of Final, Settled, Closed and Inactive Claims, which was filed in this matter on September 29, 2006, and certified as final for purposes of appeal.

Pursuant to Rule 4(c)(1), Mont. R. App. P., the above named Insurers certify that this appeal is subject to the mediation process as required by Rule 54, Mont. R. App. P.

Dated this 31st day of October 2006.

CROWLEY, HAUGHEY, HANSON,  
TOOLE & DIETRICH P.L.L.P.



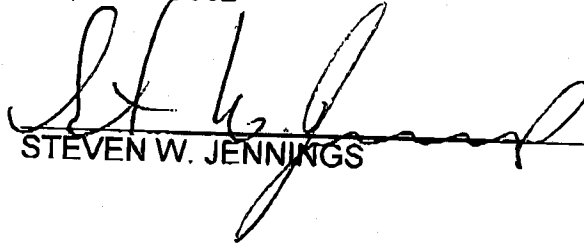
STEVEN W. JENNINGS

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served upon the following counsel of record, by the means designated below, this 31<sup>st</sup> day of October 2006:

- U.S. Mail
- FedEx
- Hand-Delivery
- Facsimile
- Email

Mr. Rex Palmer  
Attorneys Inc., PC  
301 W. Spruce  
Missoula, MT 59802

  
STEVEN W. JENNINGS