

**FILED**

FEB 12 2009

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

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

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 Situated,</i>	)	<b>PETITIONERS' RESPONSE TO</b>
<i>Petitioners,</i>	)	<b>VARIOUS AFFIDAVITS</b>
v.	)	
	)	
<i>Montana State Fund,</i>	)	
<i>Respondent/Insurer,</i>	)	
and	)	
	)	
<i>Liberty Northwest Insurance</i>	)	
<i>Company,</i>	)	
<i>Intervenor.</i>	)	
	)	

\* \* \* \* \*

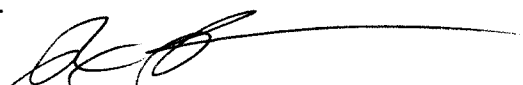
COME NOW Plaintiffs and provide their response to various of the Affidavits filed in this action.

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. INFINITY INSURANCE GROUP [Affidavit filed September 6, 2006, WCC docket #534].
2. LEADER INSURANCE [Affidavit filed September 6, 2006, WCC docket #535].

3. ATLANTA SPECIALTY INSURANCE [Affidavit filed September 6, 2006, WCC docket #534].
4. MILLERS FIRST INSURANCE CO. [Motion to Dismiss filed January 24, 2006, WCC docket #427].
5. FIRST FINANCIAL INSURANCE COMPANY [Affidavit filed June 15, 2005\_\_\_\_, 2006, WCC docket #197]
6. ALAMANCE INSURANCE COMPANY [Affidavit filed June 17, 2005, WCC docket #198].
7. FEDERATED MUTUAL INSURANCE [Affidavit filed April 23, 2007, WCC docket #563].
8. FEDERATED SERVICES INSURANCE CO. [Affidavit filed April 23, 2007, WCC docket #563].
9. AMERICAN PHYSICIANS ASSURANCE CORPORATION [Affidavit filed June 19, 2007, WCC docket #567].
10. INSURANCE CORPORATION OF AMERICA [Affidavit filed June 19, 2007, WCC docket #567].
11. FIRST PROFESSIONALS INSURANCE COMPANY [Affidavit filed July 5, 2007, WCC docket #569].

DATED this 11<sup>th</sup> day of February, 2009.

  
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February 11, 2009

Clara Wilson  
Clerk of Court  
Workers' Compensation Court  
PO Box 537  
Helena, MT 59624-0537

Re: *Flynn/Miller v. State Fund*

Dear Clara:

Enclosed please find the original PETITIONERS' RESPONSE TO VARIOUS AFFIDAVITS dated January 11, 2009.

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