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FILED

OCT 13 2009

OFFICE OF
 WORKERS' COMPENSATION JUDGE
 HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

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

* * * * *

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.

DOCKET ITEM NO. 604

1. EQUITY MUTUAL INSURANCE COMPANY [Response filed June 27, 2005, WCC docket #285].
2. NATIONAL INDEMNITY COMPANY [Affidavit filed January 18, 2006, WCC docket #422].
3. TECK COMINCO AMERICAN, INC. [Affidavit filed May 8, 2006, WCC docket #521].
4. REPUBLIC WESTERN INSURANCE [Affidavit filed April 4, 2006, WCC docket #513].

DATED this 8th day of October, 2009.



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