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FILED

OCT 21 2009

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2000-0222

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

Petitioners,

vs.

MONTANA STATE FUND

Respondent/Insurer

and
LIBERTY NORTHWEST INSURANCE COMPANY,

Intervenor.

AFFIDAVIT OF PAUL CHURCHILL

STATE OF LOUISIANA)
 : ss.
Beauregard Parish)

¶1 I, Paul Churchill, being first duly sworn upon oath, depose and say:

¶2 I, Paul Churchill, am the Vice President of Claims, West Region of American Interstate Insurance Company (AIIC).

¶2 I, Paul Churchill, am the Vice President of Claims, West Region supervising Montana Loggers Exchange (MLE).

¶3 In my capacity as Vice President of Claims, West Region, I am authorized to make the statements set forth in this affidavit on behalf of MLE and to bind MLE by these statements.

¶4 After a review of MLE's records, I swear under oath that MLE should be dismissed from the above-entitled action for any or all of the following reasons (check any or all that apply):

MLE has no claimants meeting the Court's criteria in this matter as set forth in the summons.

¶5 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 MLE. After such 90 days, if no objection is lodged by counsel for Petitioner[s], the Court will dismiss the insurer/self-insurer from this action based on the sworn statements made by me in this affidavit.

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


DATED this 7th day of October, 2009.



Paul Churchill

Vice President of Claims, West Region for Montana Loggers Exchange

Signed and sworn to before me this 7th day of October, 2009.



Notary Public for the State of Louisiana

Residing at: De Ridder, Beauregard Parish, LA

My Commission Expires: at death