

**FILED**

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OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

**IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA**

**WCC No. 2000 - 0222**

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

**Petitioners**

**vs.**

**MONTANA STATE FUND,**

**Respondent/Insurer,**

**and**

**LIBERTY NORTHWEST INSURANCE CORPORATION,**

**Intervenor.**

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**AFFIDAVIT**

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STATE OF Kansas  
County of Jennison : ss.

Kyle Moreland, being first duly sworn upon oath, depose and say:

I, Kyle Moreland, am the current Recovery Manager and former Workers Compensation Manager, for Universal Underwriters Insurance Company (hereinafter

DOCKET ITEM NO. 635

UUIC) and its parent, Zurich American Insurance Company. UUIC was formerly part of an insurance group known as Universal Underwriters Group

In my capacity as Recovery Manager, I am authorized to make the statements set forth in this affidavit on behalf of UUIC and to bind UUIC by these statements.

After a review of our records, I swear under oath that UUIC should be dismissed from the above-entitled action for any or all of the following reasons:

UUIC has never written workers' compensation insurance in the state of Montana;

UUIC does not have any Montana claims;

X UUIC has no claimants meeting the Court's criteria in this matter as set forth in the summons;

UUIC was or is in liquidation during the period in question set forth in the amended summons served upon me.

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 UUIC. 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.

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

DATED this 8th day of December 2011.

Kyle Moreland  
Kyle Moreland

Signed and sworn to before me this 8th day of December 2011.

Jennifer L. Brock  
(NOTARIAL SEAL)

Jennifer L. Brock  
[Signature of Notary]  
Jennifer L. Brock  
[Typed, stamped, or printed Name of Notary]

Notary Public for the State of Kansas  
Residing at 7045 Colley Blvd. Overland Park KS 66211  
My commission expires: 6/13/2015