

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,

FILED

Petitioners

MAR -7 2012

vs.

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

MONTANA STATE FUND,

Respondent/Insurer,

and

LIBERTY NORTHWEST INSURANCE CORPORATION,

Intervenor.

AFFIDAVIT

STATE OF Texas

County of Harris

1. I, Michael Pasquier___, being first duly sworn upon oath, depose and say:
2. I, Michael Pasquier, am the Team Leader for Petroleum Casualty Co.
3. In my capacity as Team Leader of Petroleum Casualty Co., I am authorized to make the statements set forth in this affidavit on behalf of Petroleum Casualty Co. and to bind Petroleum Casualty Co. by these statements.
4. After a review of our records, I swear under oath that Petroleum Casualty Co. should be dismissed from the above-entitled action for any or all of the following reasons (check any or all that apply):

Petroleum Casualty Co. has never written workers' compensation insurance in the State of Montana;

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- Petroleum Casualty Co. does not have any Montana claims;
- Petroleum Casualty Co. has no claimants meeting the Court's criteria in this matter as set forth in the summons;
- Petroleum Casualty Co. was or is in liquidation during the period in question set forth in the amended summons served upon me.

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 Petroleum Casualty Co.. 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.

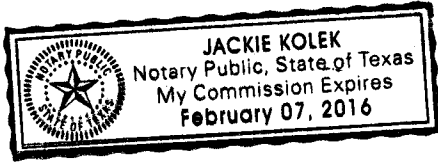
6 I declare under penalty of perjury that the foregoing is correct.

DATED this 18th day of January 2012.

Michael Berger
(Name)

Team Leader
(Title)

Signed and sworn to before me this 18th day of January, 2012.



(NOTARIAL SEAL)

Jackie Kolek
[Signature of Notary]
Jackie Kolek
[Typed, stamped, or printed Name of Notary]
Notary Public for the State of Texas
Residing at Harris County
My commission expires: 02-16-2012