

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

AUG 21 2012

vs.

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

MONTANA STATE FUND,

Respondent/Insurer,

and

LIBERTY NORTHWEST INSURANCE CORPORATION,

Intervenor.

AFFIDAVIT

STATE OF NEW YORK)

: ss.

COUNTY OF NEW YORK)

1. I, Dennis M. Helewa, being first duly sworn upon oath, depose and say:

2. I, Dennis M. Helewa, am the Vice President of Claims for SCOR Reinsurance Company ("SCOR Re").

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

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

- SCOR Re has never written workers' compensation insurance in the State of Montana;
- SCOR Re does not have any Montana claims;
- SCOR Re has no claimants meeting the Court's criteria in this matter as set forth in the summons;

DOCKET ITEM NO.

695

- o SCOR Re 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 SCOR Re. 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.

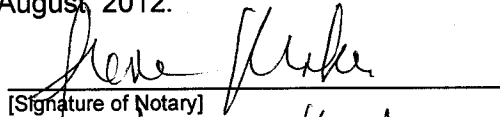
6. I declare under penalty of perjury that the foregoing is correct.

DATED this 15 day of August 2012.

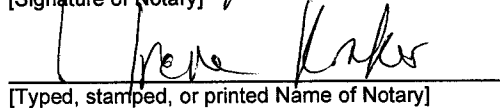


Dennis M. Helewa
Vice President, Claims

Signed and sworn to before me this 15 day of August 2012.



[Signature of Notary]



[Typed, stamped, or printed Name of Notary]

(NOTARIAL SEAL)

Notary Public for the State of NY
Residing at Queens, NY
My commission expires:

IRENE KRAKER
Notary Public, State of New York
No. 01KR4858162
Qualified in Queens County
Commission Expires April 28, 2014