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**FILED**

DEC 16 2013

OFFICE OF  
WORKER'S COMPENSATION JUDGE  
HELENA, MONTANA

ATTORNEYS FOR CONAGRA FOODS AS  
SUCCESSOR TO BEATRICE COMPANIES INC.

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 COMPANY,

Intervenor.

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**AFFIDAVIT OF KENT TIES**

STATE OF NEBRASKA)

: ss.

County of DOUGLAS

¶1 I, Kent Ties, being first duly sworn upon oath, depose and say:

¶2 I, Kent Ties, am the Senior Director, Insurance for ConAgra Foods.

¶3 On August 14, 1990 ConAgra Foods purchased Beatrice Companies Inc. and assumed its liability for any workers' compensation exposures in Montana.

¶4 In my capacity with ConAgra Foods, I am authorized to make the statements set forth in this affidavit on behalf of ConAgra Foods as successor to Beatrice Companies Inc. and to bind ConAgra Foods as successor by these statements.

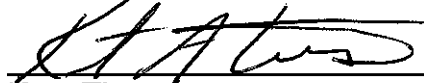
¶5 After a review of our records, I swear under oath that Beatrice Companies Inc., should be dismissed from the above-entitled action for any or all of the following reasons (check any or all that apply):

X Beatrice Companies Inc. had no claimants meeting the Court's criteria in this matter as set forth in the Summons and Flynn III, 2011 MT 300.


¶6 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 ConAgra Foods as successor to Beatrice Companies, Inc. 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.

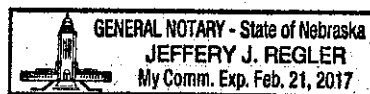
¶7 I declare under penalty of perjury that the foregoing is correct.

DATED this 2 day of December, 2013.

  
\_\_\_\_\_  
Kent Ties  
Senior Director, Finance for ConAgra Foods  
as successor to Beatrice Companies Inc.

Signed and sworn to before me this 2<sup>nd</sup> day of December, 2013.

  
\_\_\_\_\_  
Notary Public for the State of NEBRASKA  
Residing at: 13906 Kelly Dr. Bellevue, NE  
My Commission Expires: 2/21/17



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HELENA, MONTANA

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