

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 200-0222

ROBERT FLYNN AND CARL MILLER et. al.

Petitioners

vs.

MONTANA STATE FUND

Respondent/Insurer

FILED

NOV 30 2005

OFFICE OF
WORKER'S COMPENSATION JUDGE
HELENA, MONTANA

AFFIDAVIT

I, the undersigned, Mike Davies, am over the age of 18 and competent to testify to the matters set forth in this affidavit, and if called as a witness to do so, would testify as follows:

1. I am the Workers' Compensation Claim Manager for Allianz Global Risks US Insurance Co.
2. In my capacity as Workers' Compensation Claims Manager I am authorized to make the statements set forth in the affidavit on behalf of Allianz Global Risks US Insurance Co. and to bind Allianz Global Risks US Insurance Co. by these statements.
3. After a review of our records, I swear under oath that Allianz Global Risks US Insurance Co. should be dismissed from the above-entitled action for the reason that Allianz Global Risks US Insurance Co. does not have any Montana claims.

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4. 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 Petitioners' counsel may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statements made by me on behalf of Allianz Global Risks US Insurance Co. After such 90 days, if no objection is lodged by the Petitioners' counsel, the Court will dismiss the insurer from this action based on the sworn statements made by me in this affidavit.

FURTHER THE AFFIANT SAYETH NOT

Mike Davies

Mike Davies

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

Subscribed and sworn before me this

16 day of November 2005.

Laura Tomlinson
Notary Public

My Commission Expires 10/28/2009



Document #: 692710

State of California, County of Los Angeles
Subscribed and sworn to (or affirmed) before me
on this 16 day of November, 2009.
by Laura Tomlinson
personally known to me or proved to me on the
basis of satisfactory evidence to be the person(s)
who appeared before me.
Signature Laura Tomlinson

Bockman, Jacqueline

From: Williams, Lloyd [LEW@willmont.com]
Sent: Tuesday, November 29, 2005 1:02 PM
To: Bockman, Jacqueline
Cc: 'attorneysinc@montana.com'; Davies Mike (mdavies@aic-allianz.com)
Subject: RE: Flynn v. State Fund; 2000-0222
Attachments: 26763 Revised Affidavit of Mike Davies.pdf

Ms. Bockman:

Pursuant to Judge Shea's e-mail which you sent me on October 11, 2005, I am enclosing a revised affidavit of Mike Davies of Allianz which I believe follows the form suggested by Judge Shea. I believe it would be appropriate for Judge Shea to now enter a 90 order such as described in his e-mail. A copy of this is going to Rex Palmer, attorney for Flynn. Thank you.

Lloyd E. Williams, Jr.
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