

1. That I am the Assistant Secretary of Berkley Regional Insurance Company.

2. That I am authorized to make this Affidavit on behalf of Berkley Regional Insurance Company.

3. That I have personal knowledge of the matters set forth in this Affidavit.

4. That Berkley Regional Insurance Company has not paid a worker's compensation claim in the State of Montana that is actually or potentially within the class of claims addressed in this litigation, as described in the Summons and Amended Notice of Attorneys' Lien filed May 4, 2005.


Further Affiant sayeth not.

DATED this 17th day of November, 2005.



JOHN F. THELEN

Subscribed and sworn to before me this 17th day of November, 2005.



(signature)



Gregory Kendrick
(print name)
Notary Public for the State of Iowa
Residing at Urbandale, Iowa
My Commission Expires: 1.22.08