

IN THE WORKERS COMPENSATION COURT
OF THE STATE OF MONTANA

FILED

JAN 17 2006

OFFICE OF
WORKER'S COMPENSATION JUDGE
HELENA, MONTANA

Robert Flynn and Carl Miller, Petitioners)
)
vs.) WCC #2000-0222
)
Montana State Fund and Liberty)
Northwest Insurance Corporation, et al.)

AFFIDAVIT

1. I, F. William Kobusch, am the Special Deputy Liquidator of the Liquidation Estate of Casualty Reciprocal Exchange.

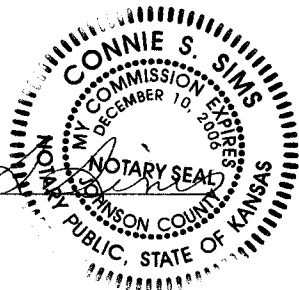
2. In my capacity as Special Deputy Liquidator of the Estate of Casualty Reciprocal Exchange, I am authorized to make the statements set forth in this affidavit on behalf of the Liquidation Estate of Casualty Reciprocal Exchange and to bind the Liquidation Estate of Casualty Reciprocal Exchange by these statements.

3. After a review of our records, I swear under oath that the Liquidation Estate of Casualty Reciprocal Exchange should be dismissed from the above entitled action for any or all of the following reasons:

- The Liquidation Estate of Casualty Reciprocal Exchange has no claimants meeting the court's criteria in this matter as set forth in the summons;
- The Liquidation Estate of Casualty Reciprocal Exchange is in liquidation and was at the period of time the summons of this court was served in this matter.

4. I understand that the Montana Workers' Compensation court may allow a period of up to ninety (90) days from the date of filing this affidavit in which petitioner's counsel may conduct discovery and an investigation for the limited purpose of proving or disproving the foregoing statements made by me on behalf of the Liquidation Estate of Casualty Reciprocal Exchange. After such ninety (90) days, if no objection is lodged by the petitioner's counsel, the court will dismiss the insurer from this action based on the sworn statements made by in this affidavit.

Connie S. Sims
Notary Public



F. William Kobusch
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