



May 27, 2005

Workers Compensation Court  
State of Montana  
P. O. Box 537  
Helena, MT 59624-0537

**FILED**

**MAY 31 2005**

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

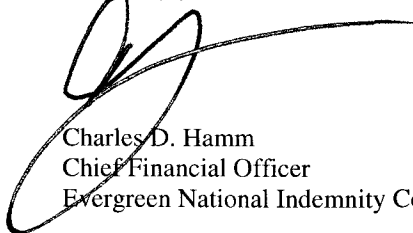
RE: *Robert Flynn and Carl Miller, etal Petitioners vs. Montana State Fund, Respondent/Insurer*  
Petitioner's Notice of Attorney Fee Lien, Case No. WCC No. 2000-0222

We acknowledge receipt of the above-referenced Notice.

Evergreen National Indemnity Company is licensed in the State of Montana, however, it has never written any Workers Compensation Insurance in the State of Montana, We have conducted an exhaustive search of our Workers Compensation database and no claims have arisen in the State of Montana as a result of our writing Workers Compensation insurance in any other state.

Accordingly, Evergreen National Indemnity Company cannot have any liability for any attorney's liens and believe a written answer to the petitioner's request should not be required. Should either the court or the petitioner's counsel disagree with this position, please advise our company. Unless we are notified otherwise, we will assume that, since we have not had workers compensation policies in the state, there will be no need for any formal response from our company.

Very truly yours;



Charles D. Hamm  
Chief Financial Officer  
Evergreen National Indemnity Company

Cc: Mr. Rex Palmer  
Attorneys Inc., P. C.  
301 W. Spruce  
Missoula, MT 59802

2800 Corporate Exchange Drive, Suite #130 Columbus, Ohio 43231  
(614) 839-1800 Fax: (614) 839-1810  
Corporate offices located at: 465 Cleveland Avenue, Westerville, Ohio 43082

146