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**FILED**

**JUL 13 2005**

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

ROBERT FLYNN and CARL MILLER,  
Individually and on Behalf of Others  
Similarly Situated,

Petitioners,

vs.

MONTANA STATE FUND,

Respondent/Insurer,

and

LIBERTY NORTHWEST INSURANCE  
CORPORATION,

Intervenor.

WCC No. 2000-0222

MOTION TO PERMIT LATE FILING

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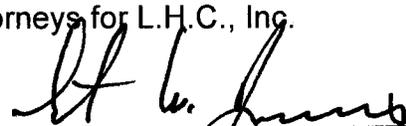
Comes Now L.H.C., Inc. by and through its counsel for record, Crowley, Haughey, Hanson, Toole & Dietrich P.L.L.P., and moves this Court for an order permitting it to file a late response.

On approximately May 31, 2005, L.H.C., Inc., contacted Crowley, Haughey, Hanson, Toole & Dietrich P.L.L.P., at its Kalispell office requesting representation in this case. Unfortunately, the attorney receiving the request was unfamiliar with this case and thus, was unaware of the June 20 deadline for responses imposed by the *Summons and Notice of Attorneys Fee Lien* issued in this case. Accordingly, no response was filed by June 20. L.H.C., Inc., now seeks an order from this Court permitting it to file the attached *Response to Summons and Notice of Attorney Fee Lien*. Claimant's counsel, Rex Palmer, has been advised of this motion and the reasons therefor and does not object.

DOCKET ITEM NO. 318

Dated this 13<sup>th</sup> day of July, 2005.

CROWLEY, HAUGHEY, HANSON,  
TOOLE & DIETRICH P.L.L.P.  
Attorneys for L.H.C., Inc.

By: 

STEVEN W. JENNINGS

**CERTIFICATE OF SERVICE**

I, STEVEN W. JENNINGS, one of the attorneys for the law firm of Crowley, Haughey, Hanson, Toole & Dietrich P.L.L.P., hereby certify that on the 13<sup>th</sup> day of July, 2005, I mailed a true and correct copy of the foregoing document, postage prepaid, to the following:

Mr. Rex Palmer  
Attorneys Inc., PC  
301 W. Spruce  
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Attorneys are licensed in Montana unless otherwise noted; \* also licensed in North Dakota; # also licensed in Wyoming; + not licensed in Montana

July 13, 2005

Workers' Compensation Court  
PO Box 537  
Helena, MT 59624-0537

RE: *Robert Flynn and Carl Miller vs. Montana State Fund, et al.*  
WCC No. 2000-0222

Dear Clerk:

Enclosed please find a Motion to Permit Late Filing to file in the matter referenced above on behalf of our client, L.H.C., Inc. Also enclosed is a proposed Order for presentation to the Judge. Also enclosed is the Response to Summons for filing when the Judge signs the Order. Thank you in advance for your assistance with this matter.

Sincerely yours,

CROWLEY, HAUGHEY, HANSON,  
TOOLE & DIETRICH P.L.L.P.

*Myrna Henschel, PLS*

Myrna Henschel, Certified PLS  
Legal Secretary to Steven W. Jennings

mlh  
Enclosures  
c (w/encls.): Rex Palmer, Esq.