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FILED

DEC 19 2005

OFFICE OF
WORKER'S COMPENSATION JUDGE
HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF
THE STATE OF MONTANA

.....

ROBERT FLYNN and CARL MILLER,

WCC No. 2000-0222

Petitioners,

-vs-

MONTANA STATE FUND,

NOTICE OF FILING OF
AFFIDAVIT OF DISMISSAL

Respondent/Insurer.

.....

Comes now Lumber Mutual Insurance Company ("Lumber Mutual"), through counsel, and gives notice of its filing of the affidavit of David Cariglia indicating that Lumber Mutual should be dismissed from this case.

Lumber Mutual previously filed a Response to the Summons in this matter on June 14, 2005, also stating that it should be dismissed for the reason reflected in the accompanying affidavit.

DATED this 16th day of December, 2005.

DAVIS, HATLEY, HAFFEMAN & TIGHE, P.C.

By



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DOCKET ITEM NO. 398