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FILED

DEC - 1 2005

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

Attorneys for Midwest Employers Casualty Company

IN THE WORKERS' COMPENSATION COURT

STATE OF MONTANA

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

Petitioners,)

-vs-)

MONTANA STATE FUND,)

Respondent/Insurer,)

and)

LIBERTY NORTHWEST INSURANCE
CORPORATION,)

Intervenor.)

WCC No. 2000-0222

AFFIDAVIT OF LEO WINSTEAD

STATE OF MISSOURI)

: ss.

County of St. Louis)

I, Leo Winstead, being first duly sworn, depose and sayeth as follows:

1. AFFIDAVIT OF LEO WINSTEAD

1. That I am the Vice President, Claims of Midwest Employers Casualty Company.

2. That I am authorized to make this Affidavit on behalf of Midwest Employers Casualty Company.

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

4. That Midwest Employers Casualty Company had opened 60 claim files for workers' compensation claims in Montana. That all but one of those 60 claim files were closed without any payment by Midwest Employers Casualty Company. That the one claim file that involved payment was not covered by the terms of the Summons and Amended Notice of Attorneys' Lien filed May 4, 2005.

Further Affiant sayeth not.

DATED this 18 day of November, 2005.

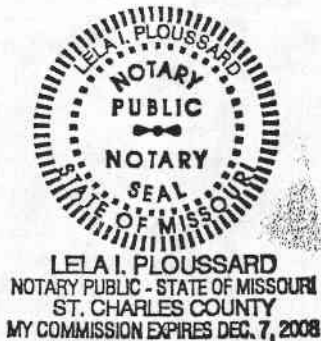

LEO WINSTEAD

Subscribed and sworn to before me this 18 day of November, 2005.


(signature)

Lela I. Ploussard
(print name)

Notary Public for the State of MO
Residing at St. Charles MO
My Commission Expires: 12-7-08



2. AFFIDAVIT OF LEO WINSTEAD