

IN THE WORKERS COMPENSATION COURT OF THE STATE OF
MONTANA

WCC No. 2000-0222

FILED

ROBERT FLYNN and

DEC - 9 2005

CARL MILLER, Individually and on Behalf of
Others Similarly Situated

OFFICE OF
WORKER'S COMPENSATION JUDGE
HELENA, MONTANA

Petitioners

vs.

MONTANA STATE FUND
Respondent/Insurer.

AFFIDAVIT

STATE OF NORTH CAROLINA

County of FORSYTH

1 I, Eric B. Dana, being first duly sworn upon oath, depose and say:

2 I, Eric B. Dana, am the Senior Vice President and Chief Financial Officer
of TRIAD GUARANTY INSURANCE CORPORATION.

3 In my capacity as Senior Vice President and Chief Financial Officer of
TRIAD GUARANTY INSURANCE CORPORATION I am authorized to make
the statements set forth in this affidavit on behalf of TRIAD GUARANTY
INSURANCE CORPORATION and to bind TRIAD GUARANTY INSURANCE
CORPORATION by these statements.

4 After a review of our records, I swear under oath that TRIAD
GUARANTY INSURANCE CORPORATION should be dismissed from the
above entitled action for any or all of the following reasons (check any or all
that apply):

DOCKET ITEM NO. 394

TRIAD GUARANTY INSURANCE CORPORATION has never written workers' compensation insurance in the state of Montana;

5 I understand that the Montana Workers' Compensation Court may allow a period of up to 90 days from the date of filing this affidavit within which counsel for Petitioner[s] may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement(s) made by me on behalf of TRIAD GUARANTY INSURANCE CORPORATION. After such 90 days, if no objection is lodged by counsel for Petitioner[s], the Court will dismiss the insurer/self-insurer from this action based on the sworn statements made by me in this affidavit.

6 I declare under penalty of perjury that the foregoing is correct.

DATED this 6th day of December 2005.

Eric B. Dana

Eric B. Dana
SVP and CFO

Signed and sworn to before me this 6th day of December 2005.

Julia H. Turner
Notary Public for the State of North Carolina
Residing at: Forsyth County

My Commission Expires: 11-4-06



OFFICIAL SEAL
JULIA H. TURNER
NOTARY PUBLIC-NORTH CAROLINA
FORSYTH COUNTY, NC
My Commission Expires 11-4-06

**IN THE WORKERS COMPENSATION COURT OF THE STATE OF
MONTANA**

WCC No. 2000-0222

**CARL MILLER, Individually and on Behalf of
Others Similarly Situated**

Petitioners

vs.

**MONTANA STATE FUND
Respondent/Insurer.**

And

LIBERTY NORTHWEST INSURANCE CORPORATION

AFFIDAVIT

STATE OF NORTH CAROLINA

County of FORSYTH

1 I, Eric B. Dana, being first duly sworn upon oath, depose and say:

**2 I, Eric B. Dana, am the Senior Vice President and Chief Financial Officer
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**3 In my capacity as Senior Vice President and Chief Financial Officer of
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the statements set forth in this affidavit on behalf of TRIAD GUARANTY
INSURANCE CORPORATION and to bind TRIAD GUARANTY INSURANCE
CORPORATION by these statements.**

**4 After a review of our records, I swear under oath that TRIAD
GUARANTY INSURANCE CORPORATION should be dismissed from the**

above entitled action for any or all of the following reasons (check any or all that apply):

TRIAD GUARANTY INSURANCE CORPORATION has never written workers' compensation insurance in the state of Montana;

5 I understand that the Montana Workers' Compensation Court may allow a period of up to 90 days from the date of filing this affidavit within which counsel for Petitioner[s] may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement(s) made by me on behalf of TRIAD GUARANTY INSURANCE CORPORATION. After such 90 days, if no objection is lodged by counsel for Petitioner[s], the Court will dismiss the insurer/self-insurer from this action based on the sworn statements made by me in this affidavit.

6 I declare under penalty of perjury that the foregoing is correct.

DATED this 6th day of December 2005.

Eric B. Dana

Eric B. Dana
SVP and CFO

Signed and sworn to before me this 6th day of December 2005.

Julia H. Turner

Notary Public for the State of North Carolina
Residing at: Forsyth County

My Commission Expires: 11-4-06



OFFICIAL SEAL
JULIA H. TURNER
NOTARY PUBLIC-NORTH CAROLINA
FORSYTH COUNTY, NC
My Commission Expires 11-4-06

**IN THE WORKERS COMPENSATION COURT OF THE STATE OF
MONTANA**

WCC No. 2000-0222

Robert Flynn

Petitioner

vs.

STATE COMPENSATION INS. FUND
Respondent/Insurer for
Salish Kootenai College

AFFIDAVIT

STATE OF NORTH CAROLINA

County of FORSYTH

1 I, Eric B. Dana, being first duly sworn upon oath, depose and say:

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of TRIAD GUARANTY INSURANCE CORPORATION.

3 In my capacity as Senior Vice President and Chief Financial Officer of
TRIAD GUARANTY INSURANCE CORPORATION, I am authorized to make
the statements set forth in this affidavit on behalf of TRIAD GUARANTY
INSURANCE CORPORATION and to bind TRIAD GUARANTY INSURANCE
CORPORATION by these statements.

4 After a review of our records, I swear under oath that TRIAD
GUARANTY INSURANCE CORPORATION should be dismissed from the
above entitled action for any or all of the following reasons (check any or all
that apply):

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5 I understand that the Montana Workers' Compensation Court may allow a period of up to 90 days from the date of filing this affidavit within which counsel for Petitioner[s] may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement(s) made by me on behalf of TRIAD GUARANTY INSURANCE CORPORATION. After such 90 days, if no objection is lodged by counsel for Petitioner[s], the Court will dismiss the insurer/self-insurer from this action based on the sworn statements made by me in this affidavit.

6 I declare under penalty of perjury that the foregoing is correct.

DATED this 16th day of December 2005.

Eric B. Dana

Eric B. Dana
SVP and CFO

Signed and sworn to before me this 16th day of December 2005.

Julia H. Turner

Notary Public for the State of North Carolina
Residing at Forsyth County



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JULIA H. TURNER
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FORSYTH COUNTY, NC
My Commission Expires 11-4-06

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