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Attorney for Yosemite Insurance Company

FILED

JUN 20 2005

OFFICE OF
WORKER'S COMPENSATION JUDGE
HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2000-0222

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.

RESPONSE TO SUMMONS

by

YOSEMITE INSURANCE COMPANY

Yosemite Insurance Company ("Yosemite"), in response to this Court's
Summons filed May 4, 2005, states as follows:

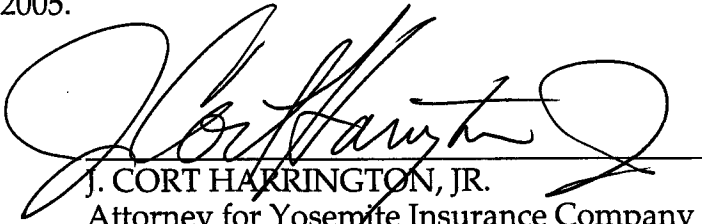
- 1. While Yosemite's certificate of authority to write insurance allows it to
issue worker's compensation policies, it has never done so in the State of
Montana.

DOCKET ITEM NO. 267

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2. As a result, Yosemite is not an "insurer or self insurer providing worker's compensation insurance coverage in the State of Montana on or after July 1, 1974," is not subject to the attorney's lien asserted in this case, and has none of the information sought in paragraph five of the Summons.
3. Because Yosemite has never written worker's compensation insurance coverage in the State of Montana, it hereby asks to be excused from any further participation in these proceedings.

DATED this 20th day of June, 2005.


J. CORT HARRINGTON, JR.
Attorney for Yosemite Insurance Company