

¶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 SeaBright. 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 21 day of January, 2006.

D. Drue Wax

D. Drue Wax
General Counsel, Senior Vice President and
Corporate Secretary

Signed and sworn before me this 21 day of January, 2006.

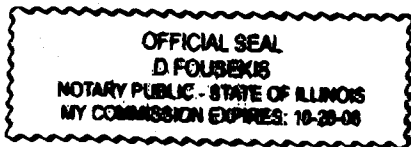
[Signature]

Notary Public for the State of Illinois

Dennis Froust

Printed Name

Residing at 1155 W. Lincoln Ave. #212 - Downers Grove, IL 60130
My Commission Expires 10-28-07



(SEAL)



January 23, 2006

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

Ms. Jackie Bockman
 Deputy Clerk of Court
 Workers' Compensation Court
 1625 116th Avenue
 P.O. Box 537
 Helena, MT 59624-0537

RE: *Flynn v. Montana State Fund*, WCC No. 2000-0222
Schmill v. Liberty Insurance Corp, et al., WCC No. 2001-0300
Satterlee v. Lumberman's Mutual Casualty Co., WCC No. 2003-0840

Dear Ms. Bockman:

Please find enclosed for filing affidavits regarding dismissal of SeaBright Insurance from the above-referenced matters.

Thank you for your assistance with these filings. Please contact me at 206-269-8568 if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Diana Garrett".

Diana Garrett
 Assistant to D. Drue Wax, General Counsel

Encl.

/dlg