

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2000-0222

ROBERT FLYNN AND CAROL MILLER, INDIVIDUALLY AND ON BEHALF OF
OTHERS SIMILARLY SITUATED

Petitioner

FILED

vs.

JAN 26 2006

MONTANA STATE FUND

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

Respondent/Insurer

and

LIBERTY NORTHWEST INSURANCE CORPORATION

Intervenor.

AFFIDAVIT

STATE OF CONNECTICUT)

County of Fairfield) : ss.

¶ 1 I, **CAROL J. LAPUNZINA**, being first duly sworn upon oath, depose and say:

¶ 2 I, **CAROL J. LAPUNZINA** am the **SECRETARY** of **STARNET INSURANCE COMPANY**.

¶ 3 In my capacity as **SECRETARY** of **STARNET INSURANCE COMPANY**, I am authorized to make the statements set forth in this affidavit on behalf of **STARNET INSURANCE COMPANY** and to bind **STARNET INSURANCE COMPANY** by these statements.

¶ 4 After a review of our records, I swear under oath that **STARNET INSURANCE COMPANY** 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. 433

_____ **STARNET INSURANCE**
COMPANY has never written workers' compensation insurance in the state of Montana;

_____ **STARNET INSURANCE**
COMPANY does not have any Montana workers' compensation claims;

_____ **STARNET INSURANCE**
COMPANY has no claimants meeting the Court's criteria in this matter as set forth in the summons;

_____ **STARNET INSURANCE**
COMPANY was or is in liquidation during the period in question set forth in the amended summons served upon me.

¶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 Petitioner's counsel may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement(s) made by me on behalf of **STARNET INSURANCE COMPANY**. After such 90 days, if no objection is lodged by the Petitioner's counsel, 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 January, 2006.

Carol J. LaPunzina

Carol J. LaPunzina, Secretary

Signed and sworn to before me this 16th day of January, 2006.

MaryAnn Mangione

Notary Public for the State of Connecticut

Residing at: Bloomfield, CT

My Commission Expires: September 30, 2007

(SEAL)

Affidavit Page 2

