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FILED

DEC - 1 2005

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

**IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA
WCC No. 2001-0294**

MARK MATHEWS

Petitioner and Appellant

vs.

LIBERTY NORTHWEST INSURANCE CORPORATION

Respondent/Insurer.

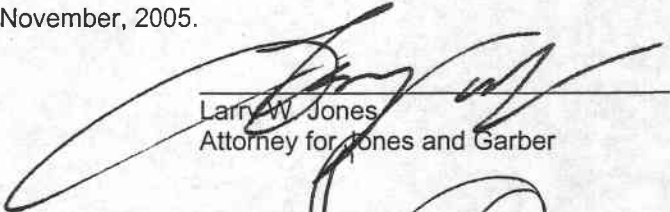
STIPULATION FOR ENTRY OF JUDGMENT

COMES NOW the above-named parties individually and through their attorney of record and stipulate to entry of judgment as follows:

1. The parties have reached a settlement on a disputed liability basis to resolve in its entirety Petitioner's claim that under the Montana Supreme Court in decision in Mathew's vs. Liberty Northwest 2003 MT 116 he was entitled to bring a class action claim or alternatively bring a common fund claim, including, common fund attorney fees.
2. This Court in Mathews vs. Liberty Northwest 2004 MT WCC 55, Order and Judgment, July 8, 2004 concerning class action, retroactivity and common fund had denied Petitioner's request for class action certification and, alternatively, his request to bring a common fund claim, including common fund attorney fees, under the Montana Supreme Court decision in Mathews. This Court reinstated its July 8, 2004 decision in Mathews vs. Liberty Northwest 2005 MT WCC 29 Order and Judgment after remand, June 1, 2005.
3. The Petitioner then filed an appeal after this June 1, 2005 Order. Pending appeal the parties agree to settle all claims, known or unknown, relating to the request for class action certification, with attorney fees, common fund certification, with attorney fees, and any possible issue in law or equity that could have been brought as a class action and/or common fund.
4. The amount of the settlement on a disputed liability basis is \$5000.00.
5. Each party is responsible for his/its attorney's fees and costs.
6. Petitioner agrees Liberty Northwest and its agents and employees have acted in good faith and not acted unreasonably in the handling of the class action and common fund disputes.
7. The parties agree that this case can be dismissed with prejudice.

DOCKET ITEM NO. 112


28th
DATED this 16th day of November, 2005.


Larry W. Jones
Attorney for Jones and Garber

20th
DATED this 20th day of November, 2005.


Geoffrey Angel
Attorney for the Petitioner

20th
DATED this 20th day of November, 2005.


Mark Mathews
Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day November, 2005, I served the original of the foregoing STIPULATION FOR ENTRY OF JUDGMENT, by first-class mail, postage prepaid, on the following:

Ms. Patricia J. Kessner
Clerk of Court
Workers' Compensation Court
PO Box 537
Helena, MT 59624-0537

and a copy of the same to the following:

Geoffrey C. Angel
Angel Law Firm
125 West Mendenhall
Bozeman, MT 59715


Robin E. Schmitt
Legal Assistant