

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 9206-6487

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JACK MURER, et al.

Petitioners

vs.

MONTANA STATE FUND

Respondent/Insurer.

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ORDER DISMISSING WITHOUT PREJUDICE AND NOTICE

¶ 1 This Court issued its Order Clarifying Settlement Date on October 3, 2006, which resolved the issue of which date determines whether or not a claimant is eligible for *Murer* benefits. Special Master Jay P. Dufrechou settled seven of the remaining ten files which fell outside this Court's Order, and asked for additional arguments on the three files left unsettled. The deadline for supplemental arguments having expired, the Special Master's findings on the three unsettled files are well-taken and the files are now deemed **settled**.

¶ 2 Pursuant to the foregoing, IT IS ORDERED that this matter is **DISMISSED WITHOUT PREJUDICE**.

¶ 3 The Court file in the above-entitled matter in the Office of the Workers' Compensation Judge will be closed. You are hereby notified that there are original exhibits and/or original depositions that may be returned to you at your request by contacting the Clerk of Court to determine the amount of postage you will need to include on a self-addressed stamped envelope, or may be picked up at 1625 11th Avenue, Helena, Montana.

¶ 4 You are further notified that in the event that you fail to pick up such exhibits or depositions within **twenty** days from the date of the mailing of this Order and Notice, the same will be destroyed.

DATED in Helena, Montana, this 14th day of February, 2007.

(SEAL)

/s/ JAMES JEREMIAH SHEA  
JUDGE

c: Allan M. McGarvey  
Thomas E. Martello  
Bradley J. Luck  
Special Master Jay P. Dufrechou