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FILED

MAY 18 2005

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

ALEXIS RAUSCH, *et al.*)
)
) Petitioners,)
)
) vs.)
)
) MONTANA STATE FUND,)
)
) Respondent/Insurer,)
)
) and)
)
) JEREMY RUHD,)
)
) Petitioner,)
)
) vs.)
)
) LIBERTY NORTHWEST INSURANCE)
) CORPORATION,)
)
) Respondent/Insurer.)

WCC No. 9907-8274R1

**KMART'S REQUEST FOR
EXTENSION OF TIME
TO REPLY TO SUMMONS**

COMES NOW, Kmart Corporation, by and through its counsel of record, Michael P. Heringer, Brown Law Firm, P.O. Drawer 849, Billings, Montana, and hereby moves the Court for an Order granting it an extension of time to respond to Summons.

Kmart Corporation made its initial appearance on this matter and requested additional time, until May 16, 2005, within which to respond to the Summons in the above-captioned matter. The Court granted Kmart Corporation until May 16, 2005, to respond.

Since the Court granted the extension of time, Kmart Corporation has been accruing information regarding its Montana workers' compensation claims which occurred after June 30, 1999. Kmart Corporation has assimilated that information regarding its overall claims and is now in the process of responding to the information requested in the Summons. Kmart Corporation is working with due diligence to provide the information requested by the Court. However, Kmart Corporation will need an additional time, up to and including, June 20, 2005, within which to serve its response to the Summons.

For good cause shown, Kmart Corporation hereby requests that the Court grant it an extension of time, up to and including June 20, 2005, within which to serve its response to the Summons.

Respectfully submitted this 19th day of May, 2005.

BROWN LAW FIRM, P.C.

BY 

Michael P. Heringer

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Billings, MT 59103-0849

Attorney for Respondent Kmart

cc: Dot Scott

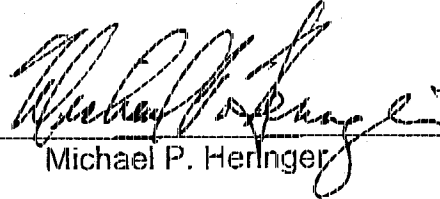
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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was duly served on Montana's Workers' Compensation Court postage prepaid, and addressed as follows this 15th day of May, 2005:

Ms. Patricia J. Kessner
Clerk of Court
Workers' Compensation Court
1625 11TH Street
Helena, MT 59624

BY


Michael P. Heringer