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and Montana Insurance Guaranty Association

FILED

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OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

ALEXIS RAUSCH, et al.,

Petitioners,

v.

MONTANA STATE FUND,

Respondent/Insurer,

and

v.

JEREMY RUHD,

Petitioner,

v.

LIBERTY NORTHWEST INSURANCE
CORPORATION,

Respondent/Insurer.

WCC No. 9907-8274R1

MONTANA INSURANCE GUARANTY
ASSOCIATION'S STATUS REPORT
AND REQUEST FOR ADDITIONAL TIME

COMES NOW the Montana Insurance Guaranty Association, by and through counsel, and hereby files this Status Report and Request for Additional Time to comply with the information requested by this Court in its original Summons.

As noted in the Montana Insurance Guaranty Association's Response to Summons, the Western Guaranty Fund does not have a computer method to identify claimants who have received PTD benefits, nor does it have the ability to electronically track this information. However, following the conference call with the Court on February 17, 2005, the Western Guaranty Fund surveyed its adjusters to determine if any PTD files were currently open. The Western Guaranty Fund printed file notes and payment histories for the files which appeared to be open PTD claims. However, the printed materials are voluminous and do not contain clear identifiers to the information requested in Paragraph 4 of the original Summons. Further, the Western Guaranty Fund is still in the process of surveying its adjusters regarding claimants who received TTD benefits for eighteen months or longer. The survey and review process for the TTD information is much more involved than the survey for PTD information. Therefore, as referenced during the in-person conference on April 1, 2005, the Respondent requests additional time to continue its review of the voluminous printed materials regarding potential PTD claims and to complete its survey regarding TTD files where benefits have been paid for eighteen months or longer. See Hearing No. 3577, Volume XVII at 3717 (Apr. 1, 2005). The Respondent further requests this Court to allow it to file a Status Report in forty-five (45) days which outlines the information which has been compiled at that point in response to Paragraph 4 of the original Summons.

Pursuant to the request of the Court made during the conference call on February 17, 2005, the Respondent provides contact information regarding the following four insolvent insurers:

Reliance National Indemnity Company
Reliance Ins. Co., In Liquidation
5 Hanover Square
New York, NY 10004

Legion Insurance Company
Statutory Liquidator
Legion Ins. Company, In Liquidation
Philadelphia, PA 19103

Fremont Indemnity Company
Fremont Ins. Co.
State of California/Insurance Department
Conservation/Liquidation Office
425 Market St., 23rd Floor
San Francisco, CA 94105

Credit General Insurance Company.
Office of the Ohio Ins. Liquidator
1366 Dublin Dr., 2nd Floor
Columbus, OH 43215

As previously noted, when the Western Guaranty Fund closes a file, it typically returns the closed file to the liquidator.

DATED this 15th day of April, 2005.

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