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March 18, 2005

Lon J. Dale
Milodragovich, Dale, Steinbrenner & Binney, P.C.
P. O. Box 4947
Missoula, MT 59806-4947

RE: Rausch Common Fund

Dear Lon:

Thank you for your amended confidentiality agreement. The only concern I have is in the definition of "confidential information." It does not cover disclosure of other information in the file, whether authored by Liberty Northwest, Liberty Mutual, and/or its employees and/or agents, e.g., rehab information, claim file notes, etc.

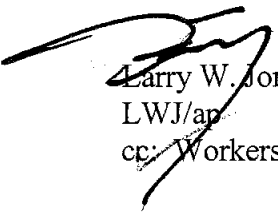
Therefore I propose that we add a new subsection 3, and what is now 3 will become 4, etc., which reads as follows:

3. All other information in the file that does not fall under the definition of confidential information is nevertheless subject to the terms and conditions of this amended confidentiality agreement. This information will be made available only to claimants attorneys and their agents as part of the file review process and may neither be copied, in whole or in part, in any form and may not be disseminated to anyone through any media by them.

I hope you will agree that there are two classes of information in the context of this agreement. The medical information relevant to the common fund lien and everything else. Because the written claim files will be made available to you inevitably you will view a wide range of information that is irrelevant to the claim and the common fund lien but nevertheless needs to be protected from disclosure.

After reviewing my letter, please let me know your thoughts.

Very truly yours,


Larry W. Jones
LWJ/ap
cc: Workers' Compensation Court

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OFFICE OF
WORKER'S COMPENSATION JUDGE
HELENA, MONTANA

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