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FILED

FEB 24 2006

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

ALEXIS RAUSCH, et al.,

Petitioners,

vs.

MONTANA STATE FUND,

Respondent/Insurer,

and

JEREMY RUHD,

Petitioner,

v.

LIBERTY NORTHWEST INSURANCE
CORPORATION,

Respondent/Insurer.

WCC No. 9907-8274

**MONTANA STATE FUND'S
STATUS REPORT
REGARDING IMPLEMENTATION**

DOCKET ITEM NO. 305



COMES NOW the Respondent, Montana State Fund ("State Fund"), and hereby provides a status report regarding the implementation process.


Montana State Fund submitted a status report on November 23, 2005. The status of Montana State Fund's implementation of the Rausch/Fisch/Frost common fund remains the same as at that time.

One claimant, Henry Buhr, initially chose to wait to receive his impairment award until he reached retirement age. Mr. Beck, Mr. Dale and Mr. Roberts agreed to release him from their common fund attorney fee lien. Mr. Buhr later indicated that he may want to receive his impairment award prior to retirement age. Mr. Buhr was advised that if he received his impairment award prior to retirement age, the common fund attorney fee would be deducted from his impairment award. To date, Mr. Buhr has not requested his impairment award. In the event Mr. Buhr requests his impairment award prior to retirement age, Montana State Fund will withhold the common fund attorney fee unless directed to do otherwise by Mr. Beck, Mr. Dale and Mr. Roberts or this Court.

Montana State Fund considers the implementation process in the above-captioned matter complete with regard to Montana State Fund claimants.

DATED this 23rd day of February 2006.

MONTANA STATE FUND



GREG E. OVERTURF, Legal Counsel
Special Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing on the following parties:

Mr. Lon J. Dale
Attorney at Law
PO Box 4947
Missoula, MT 59806-4947

Mr. Stephen D. Roberts
Attorney at Law
1700 West Koch, Ste 5
Bozeman, MT 59715

Mr. Monte D. Beck
Attorney at Law
1946 Stadium Drive, Ste 1
Bozeman, MT 59715

by depositing the same in the United States Mail, postage prepaid, on this _____ day of February 2006.
