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Subject: Rausch v State Compensation Insurance Fund
Date: Tuesday, July 11, 2006 1:08:00 PM
Attachments:

Rausch v. State Compensation Insurance Fund.
9907-8274R1

To: All Parties of Record and Counsel:

Petitioners' counsel filed their status report with the Court on February 21, 2006. In that report, Petitioners stated that 13 insurers have not provided a response to the summons. The Court served the initial summons on January 10, 2005. The Court directed in its e-mail sent September 27, 2005:

Service – New Litigation. The Court has in the past and will continue in the future to serve the first summons in each case. For those summonses that are returned as undeliverable or if an insurer or self-insured has not responded to the summons, the petitioners' counsel will be responsible to effect service.

Please provide the Court with a list of noncomplying insurers and advise the Court of the method of service for nonresponding insurers. In the event service has been proper according to the Montana Rules of Civil Procedure, **at the request of Petitioners**, the Court will schedule a conference to draft a form requesting information from the noncomplying carriers.

Petitioners further noted in their status report that an undue burden has been placed on them to review individual files when there are inaccurate or incomplete responses. The Court encourages cooperation in this regard. In the event a solution cannot be reached, Petitioners are requested to provide the Court with information as to the noncompliance in the form of a motion

to compel.

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