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**FILED**

**OCT 11 2006**

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

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Of Counsel - Health Law

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J. C. Garlington  
1908 – 1995

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Sherman V. Lohn  
(Retired)

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R. H. "Ty" Robinson  
(Retired)

October 10, 2006

Ms. Jackie Bockman  
Workers' Compensation Court  
P.O. Box 537  
Helena, MT 59624

RE: Common Fund – Reliance Insurance Company

Dear Jackie:

More than 90 days has passed since an Affidavit was filed on behalf of this insurer seeking its dismissal from the *Fisch/Frost/Rausch, et al. v. State Fund* common fund litigation. Since that time, we have not received any discovery requests nor any objections to our dismissal from the common fund litigation from Petitioner's counsel. Thus, we request that this insurer be dismissed from the common fund litigation.

Thank you for your attention to this matter.

Very truly yours,

GARLINGTON, LOHN & ROBINSON, PLLP

  
Kelly M. Wills

KMW:rm

c: Lon J. Dale, Esq.  
Stephen D. Roberts, Esq.  
Monte D. Beck, Esq.  
Gail Burgess, Esq.