

WORKERS' COMPENSATION COURT

Hearing No. 3569
Volume XVII

Helena, Montana
March 16, 2005

ALEXIS RAUSCH, et al.

Lon J. Dale

vs.

MONTANA STATE FUND

Greg E. Overturf

and

JEREMY RUHD

vs.

LIBERTY NORTHWEST INSURANCE CORPORATION

Larry W. Jones and
Carrie L. Garber

WCC No. 9907-8274R1

A telephone conference was held with above counsel regarding the confidentiality agreement with Liberty and the files to be produced by Liberty.

I indicated my recollection that the reference to "experts" was to be taken out of the agreement and "health care providers" substituted, it being the intent to allow physician review of impairment disputes. "Expert" was used in the draft agreement three times but only one of those references was changed. Mr. Dale will consult with co-counsel and work up an amended agreement for Mr. Jones' review. Upon agreement it will be submitted to me for my review and approval. The amended agreement will supercede the old one.

With respect to the minute entry of February 23, 2005, and the reference to "related affiliated companies," the obligation to produce files at the present shall extend only to Liberty Northwest and Liberty Mutual. While Mr. Jones represents three other affiliated companies, benefitted claimants of those insurers have not yet been identified.

Mr. Jones also indicated that he is following up on compiling information discussed during the February 23rd conference and will be providing information via letter to petitioners' counsel, with a copy to the Court for its information.

MIKE McCARTER
Judge

Minute Entry e-mailed to *Rausch* Distribution List on March 17, 2005.

