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**FILED**

MAY - 6 2014

OFFICE OF  
 WORKER'S COMPENSATION JUDGE  
 HELENA, MONTANA

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*Common Fund Attorneys*

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

RAUSCH/FISCH/FROST COMMON FUND, )  
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WCC No. 9907-8274R1

**MOTION FOR CLOSURE OF  
 COMMON FUND CASE**

COME NOW the Common Fund Attorneys and submit this motion to close the Rausch/Fisch/Frost Common Fund case.

**BACKGROUND:**

- 1) By decision of the Montana Supreme Court in Rausch, et al. v. State Compensation Insurance Fund, 2002 MT 203, a common fund was established by this Court.
- 2) On January 23, 2003, Judge Mike McCarter sent an Order and Notice of Claim of Attorney Lien to all workers' compensation insurers in the State.
- 3) On December 11, 2007, this Court issued its Order of Payment of Interim

Attorneys' Fees and set forth a procedure for review and settlement of attorney fee claims on potential common fund cases.

- 4) Pursuant to the procedure set forth in this Court's December 11, 2007, Order, the Common Fund Attorneys have thoroughly reviewed the records submitted by insurers regarding potential common fund claimants, submitted stipulations for payment of applicable Common Fund Attorneys' fees when funds were due from workers, and resolved lien claims directly with insurers when there was a failure to withhold as required by the lien notice.

The Common Fund Attorneys, having thoroughly investigated and acted on potential Common Fund claims, now conclude that all known and viable claims for injured workers have been exhausted. We hereby submit this motion for closure of the Rausch/Fisch/Frost Common Fund. A proposed Order is submitted herewith.

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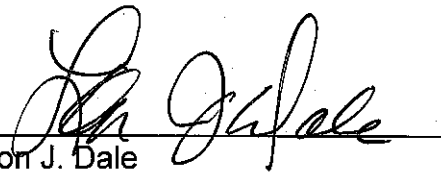
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