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Attorney for Respondent Kmart

**FILED**

JUN 21 2005

OFFICE OF  
WORKER'S COMPENSATION JUDGE  
HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

ALEXIS RAUSCH, *et al.* )  
)  
Petitioners, )  
)  
vs. )  
)  
MONTANA STATE FUND, )  
)  
Respondent/Insurer, )  
)  
and )  
)  
JEREMY RUHD, )  
)  
Petitioner, )  
)  
vs. )  
)  
LIBERTY NORTHWEST INSURANCE )  
CORPORATION, )  
)  
Respondent/Insurer. )

WCC No. 9907-8274R1

**KMART'S REQUEST FOR  
EXTENSION OF TIME  
TO REPLY TO SUMMONS**

COMES NOW, Kmart Corporation, by and through its counsel of record, Michael P. Heringer, Brown Law Firm, P.O. Drawer 849, Billings, Montana, and hereby moves the Court for an Order granting it an extension of time to respond to Summons.

Kmart Corporation made its initial appearance on this matter and requested additional time, until June 20, 2005, within which to response to the Summons in the

above-captioned matter. The Court granted Kmart Corporation until June 20, 2005, to respond.

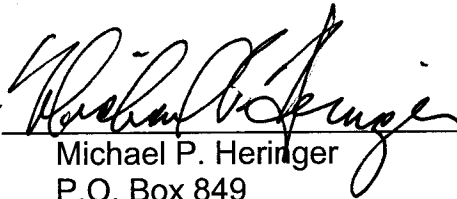
Since the Court granted the extension of time, Kmart Corporation has been accruing information regarding its Montana workers' compensation claims which occurred after July 1, 1991. Kmart Corporation has assimilated that information regarding its overall claims and is now in the process of responding to the information requested in the Summons. Kmart Corporation is working with due diligence to provide the information requested by the Court. However, Kmart Corporation will need an additional time, up to and including, July 25, 2005, within which to serve its response to the Summons.

For good cause shown, Kmart Corporation hereby requests that the Court grant it an extension of time, up to and including July 25, 2005, within which to serve its response to the Summons.

Respectfully submitted this 20th day of June, 2005.

BROWN LAW FIRM, P.C.

BY



Michael P. Heringer

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Billings, MT 59103-0849

Attorney for Respondent Kmart

cc: Dot Scott

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing was duly served on Montana's Workers' Compensation Court postage prepaid, and addressed as follows this 20th day of June, 2005:

Ms. Patricia J. Kessner  
Clerk of Court  
Workers' Compensation Court  
1625 11<sup>TH</sup> Street  
Helena, MT 59624

(via FAX machine 406-444-7798)

BY   
Michael P. Heringer