

Bockman, Jacqueline

FILED

To: Reesor Distribution List

Cc: Mike McCarter (E-mail); Clara Wilson (E-mail); Pat Kessner (E-mail)

Subject: Reesor v. Montana State Fund; WCC 2002-0676

MAR 04 2005

OFFICE OF
WORKER'S COMPENSATION JUDGE
HELENA, MONTANA

Counsel:

Attached is a draft Summons in the Reesor matter for your review and comment.

Jackie Bockman
Deputy Clerk
Workers' Compensation Court
jbockman@mt.gov

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2002-0676

DALE REESOR

Petitioner

vs.

MONTANA STATE FUND

Respondent/Insurer

SUMMONS AND NOTICE OF ATTORNEY FEE LIEN

The State of Montana to the following Insurers and Self-Insureds:

BEATRICE COMPANIES INC
MARKEL INSURANCE COMPANY
AMERICAN COMMERCE INS CO
ALLMERICA FINANCIAL ALLIANCE
INS CO
HANOVER INSURANCE CO
LUMBER MUTUAL INSURANCE CO
AMERICAN MUTUAL INS CO OF BOSTON
AMERICAN MUTUAL LIABILITY INS CO
ELECTRIC INSURANCE CO
HARTFORD FIRE INSURANCE CO
AMERICAN CENTRAL INS CO
NORTHERN ASSURANCE CO OF
AMERICA
EMPLOYERS FIRE INSURANCE CO
HOUSTON GENERAL INSURANCE CO
CAMDEN FIRE INSURANCE
ASSOCIATION
ONE BEACON AMERICA INSURANCE CO
TRADERS & GENERAL INS CO
AMERICAN EMPLOYERS INSURANCE
CO
PENNSYLVANIA GENERAL INSURANCE
COMPANY
ONE BEACON INSURANCE COMPANY

LEXINGTON INSURANCE COMPANY
HOMESITE INSURANCE COMPANY
LIBERTY INSURANCE CORP
LM PERSONAL INSURANCE COMPANY
LM PROPERTY & CASUALTY
INSURANCE COMPANY
WAUSAU BUSINESS INSURANCE CO
LIBERTY MUTUAL FIRE INSURANCE CO
LM INSURANCE CORPORATION
FIRST LIBERTY INSURANCE
CORPORATION
LM GENERAL INSURANCE COMPANY
SEATON INSURANCE CO
STONEWALL INSURANCE COMPANY
METROPOLITAN DIRECT PROP & CAS
INS
METROPOLITAN GENERAL INS CO
ECONOMY PREFERRED INS CO
ECONOMY PREMIER ASSURANCE CO
ECONOMY FIRE & CASUALTY CO
PROVIDENCE WASHINGTON INS CO
YORK INSURANCE COMPANY
FACTORY MUTUAL INS CO
INTERNATIONAL INSURANCE CO
NORTH AMERICAN SPECIALTY INS CO

NORTH AMERICAN ELITE INSURANCE
ATLAS ASSURANCE CO OF AMERICA
LIBERTY MUTUAL INSURANCE CO
CORE INSURANCE COMPANY
ALEA NORTH AMERICA INSURANCE
COMPANY
ODYSSEY AMERICA REINSURANCE
CORP
SENTINEL INSURANCE COMPANY LTD
HARTFORD INS CO OF THE MIDWEST
PROPERTY & CASUALTY INS CO OF
HARTFORD
HARTFORD CASUALTY INSURANCE CO
HARTFORD UNDERWRITERS INS CO
HARTFORD ACCIDENT & INDEMNITY CO
AUTOMOBILE INS CO OF HARTFORD
CHARTER OAK FIRE INSURANCE CO
TRAVELERS INDEMNITY CO OF CT
TRAVELERS CASUALTY INS COMPANY
OF AMERICA
TRAVELERS PROPERTY CASUALTY
COMP OF AMERICA
FARMINGTON CASUALTY CO
TRAVELERS IND CO OF AMERICA
STANDARD FIRE INSURANCE CO
TRAVELERS CAS & SURETY CO OF
AMER
TRAVELERS COMMERCIAL INS CO
TRAVELERS CASUALTY CO OF CONN
TRAVELERS COMMERCIAL CASUALTY
COMPANY
TRAVELERS CASUALTY & SURETY CO
PHOENIX INSURANCE CO
TRAVELERS PROPERTY & CASUALTY
INS CO
TRAVELERS INSURANCE COMPANY
GULF INSURANCE CO
STARNET INSURANCE COMPANY
CHARTWELL REINSURANCE COMPANY
INSURANCE CORPORATION OF NEW
YORK
NORTH STAR REINSURANCE
CORPORATION
XL REINSURANCE AMERICA
CLEARWATER INSURANCE COMPANY

GREENWICH INSURANCE COMPANY
GENERAL REINSURANCE CORP
FAIRFIELD INSURANCE COMPANY
GENESIS INSURANCE COMPANY
MITSUI SUMITOMO INS CO OF
AMERICA
EXECUTIVE RISK INDEMNITY INC
PACIFIC INDEMNITY CO
FEDERAL INSURANCE CO
GREAT NORTHERN INSURANCE CO
QUADRANT INDEMNITY COMPANY
CHUBB NATIONAL INS CO
VIGILANT INSURANCE CO
CHUBB INDEMNITY INS CO
NATIONAL COLONIAL INS, IN
LIQUIDATION
ICM INSURANCE COMPANY
EVEREST NATIONAL INS CO
CENTENNIAL INSURANCE CO
ARCH REINSURANCE COMPANY
UNITED STATES FIRE INSURANCE CO
NORTH RIVER INSURANCE CO
CRUM AND FOSTER INDEMNITY
COMPANY
LUCENT TECHNOLOGIES INC
AMERICAN REINSURANCE COMPANY
AMERICAN ALTERNATIVE INS CORP
HIGHLANDS INSURANCE CO
WESCO INSURANCE COMPANY
A T & T COMMUNICATIONS INC
AXA CORPORATE SOLUTIONS
INSURANCE CO
CENTRE INSURANCE COMPANY
MITSUI SUMITOMO INS USA INC
CONNIE LEE INSURANCE CO
RAMPART INSURANCE COMPANY
WESTERN CONTINENTAL INS CO
AXA RE AMERICA INS CO
CONVERIUM INSURANCE (NORTH
AMERICA) INC
QBE INSURANCE CORPORATION
ATLANTIC MUTUAL INSURANCE CO
CONVERIUM REINSURANCE (NORTH
AMERICA) INC

ATLANTIC SPECIALTY INSURANCE COM
PANY
FOLKSAMERICA REINSURANCE
COMPANY
LIBERTY INS UNDERWRITERS INC
XL INS CO OF NEW YORK INC
HUDSON INSURANCE COMPANY
PUBLIC SERVICE MUTUAL INS CO
GERLING AMERICA INSURANCE
COMPANY
QUANTA INDEMNITY COMPANY
INSURANCE CORPORATION OF
HANNOVER
REDLAND INSURANCE COMPANY
CLARENDON NATIONAL INS CO
CITY INSURANCE CO
HOME INSURANCE CO
AMERICAN INTERNATIONAL PACIFIC
INS CO
SIRIUS AMERICAN INS CO
ILLINOIS NATIONAL INSURANCE
COMPANY
GENERAL SECURITY NATIONAL
INSURANCE COMPANY
GENERAL SECURITY INSURANCE
COMPANY
NICHIDO FIRE & MARINE INS CO
HOME INDEMNITY CO THE
SCOR REINSURANCE COMPANY
COMMERCE & INDUSTRY INSURANCE
CO
TECHNOLOGY INSURANCE CO INC
CHURCH MUTUAL INSURANCE CO
CONSTITUTION INSURANCE COMPANY
NAVIGATORS INSURANCE COMPANY
TOKIO MARINE & FIRE INSURANCE CO
TRANS PACIFIC INSURANCE COMPANY
NATIONAL UNION FIRE INS OF
PITTSBURGH
AMERICAN HOME ASSURANCE CO
NEW HAMPSHIRE INSURANCE CO
GRANITE STATE INSURANCE CO
INSURANCE COMPANY OF STATE OF
PA
AIU INSURANCE CO

BIRMINGHAM FIRE INS CO OF PA
SOMPO JAPAN INSURANCE COMPANY
OF AMERICA
PARTNER REINS CO OF NEW YORK
SWISS REINSURANCE AMERICA CORP
LANCER INSURANCE COMPANY
NEWARK INSURANCE CO
HEALTHCARE UNDERWRITERS MUT INS
CO
UNITED COMMUNITY INSURANCE CO
FRONTIER INSURANCE COMPANY
UTICA MUTUAL INSURANCE CO
FEDEX GROUND PACKAGE SYSTEM INC
P P G INDUSTRIES INC
ROCKWOOD INSURANCE CO
ROCKWOOD CASUALTY INSURANCE
COMPANY
OLD REPUBLIC INSURANCE CO
PHICO INSURANCE CO
PENNSYLVANIA CASUALTY COMPANY
PENNSYLVANIA NATIONAL MUTUAL
CASUALTY
AMGUARD INSURANCE COMPANY
EASTGUARD INSURANCE COMPANY
NORGUARD INSURANCE COMPANY
UNITED NATIONAL CASUALTY
INSURANCE COMPANY
PENN STAR INSURANCE COMPANY
UNITED STATES LIABILITY INS CO
INSURANCE COMPANY OF NORTH
AMERICA
ACE FIRE UNDERWRITERS INS CO
ACE INDEMNITY INSURANCE COMPANY
PACIFIC EMPLOYERS INSURANCE CO
BANKERS STANDARD FIRE & MARINE
ACE PROPERTY & CASUALTY INS CO
ACE AMERICAN INSURANCE COMPANY
BANKERS STANDARD INSURANCE CO
INDEMNITY INS CO OF NORTH AMERICA
RELIANCE INSURANCE CO
RELIANCE UNIVERSAL INS CO
RELIANCE NATIONAL INSURANCE CO
RELIANCE NATIONAL INDEMNITY CO
RELIANCE DIRECT INS CO
UNITED PACIFIC INSURANCE CO

LEGION INSURANCE CO
VILLANOVA INSURANCE COMPANY
VILLANOVA INSURANCE COMPANY
AMERICAN FUJI FIRE & MARINE INS CO
OVERSEAS PARTNERS US
REINSURANCE
ACE AMERICAN REINSURANCE CO
CENTURY INDEMNITY CO
PENNSYLVANIA MANUFACTURERS
ASSOC
MANUFACTURES ALLIANCE INSURANCE
COMPANY
PENNSYLVANIA MANUFACTURERS
INDEMNITY COMPANY
HARLEYSVILLE INSURANCE COMPANY
AMERICAN INTERNATIONAL SPECIALTY
LINES INSURANCE
AMERICAN CENTENNIAL INSURANCE
CO
ULICO CASUALTY COMPANY
GOVERNMENT EMPLOYEES INS CO
GEICO INDEMNITY COMPANY
GEICO CASUALTY COMPANY
PROFESSIONALS ADVOCATE INS CO
EULER AMERICAN CREDIT INDEMNITY
COMPANY
MONUMENTAL GENERAL CASUALTY CO
ASSURANCE COMPANY OF AMERICA
MARYLAND CASUALTY CO
VALIANT INSURANCE COMPANY
AMERICAN GENERAL CORP
SEABOARD SURETY COMPANY
RECIPROCAL OF AMERICA INS CO
TRIAD GUARANTY INSURANCE
COMPANY
INTEGON NATIONAL INSURANCE
COMPANY
ALAMANCE INSURANCE COMPANY
FIRST FINANCIAL INSURANCE
COMPANY
OCCIDENTAL FIRE & CASUALTY CO OF
NC
VEREX ASSURANCE INC
GROCERS INSURANCE COMPANY
SAFEGUARD INSURANCE COMPANY

ORION INSURANCE COMPANY
AMERICAN & FOREIGN INS CO
SECURITY INS CO OF HARTFORD
GUARANTY NATIONAL INSURANCE
COMPANY
AXIS REINSURANCE COMPANY
FIRE & CASUALTY INS CO OF CONN
GLOBE INDEMNITY CO
PHOENIX ASSURANCE CO OF NEW
YORK
CONNECTICUT INDEMNITY CO
EMPLOYEE BENEFITS INS CO
ROYAL INDEMNITY COMPANY
GUARANTEE INSURANCE CO
AIG NATIONAL INSURANCE COMPANY
ATLANTA INTERNATIONAL INS CO
INTERNATIONAL INDEMNITY CO
INDUSTRIAL UNDERWRITERS INS CO
WESTCHESTER FIRE INSURANCE CO
GEORGIA PACIFIC CORP
AMERICAN SAFETY CASUALTY INS CO
ATLANTA SPECIALTY INS CO
FIRST PROFESSIONALS INSURANCE
COMPANY INCORPORATE
P I E NATIONWIDE INC
FIDELITY NATIONAL PROPERTY AND
CASUALTY INS CO
RYDER SYSTEMS INC
SECURITY NATIONAL INS CO
LUMBERMENS UNDERWRITING
ALLIANCE
FIRST SOUTHERN INSURANCE CO
TEXAS EMPLOYERS INDEMNITY CO
THE INSURANCE COMPANY
SERVICE INSURANCE COMPANY
HORIZON CMS HEALTHCARE CORP
SHELBY CASUALTY INS CO
MEDICAL ASSURANCE CO INC
CATERPILLAR INSURANCE COMPANY
PERMANENT GENERAL ASSURANCE
CORP
MERASTAR INSURANCE CO
FEDERAL EXPRESS CORP
WAVERLEY MONTANA INC
AMERICAN HARDWARE MUTUAL INS CO

NATIONWIDE MUTUAL FIRE INSURANCE
CO
NATIONWIDE PROPERTY & CASUALTY
INS CO
CREDIT GENERAL INSURANCE CO
ST PAUL FIRE & MARINE INS CO
CONTINENTAL CASUALTY CO
CHAMPION INTERNATIONAL CORP
BORDEN CHEMICAL INC
EVERGREEN NATIONAL INDEMNITY
ROCHDALE INSURANCE COMPANY
BRISTOL WEST INSURANCE COMPANY
PROGRESSIVE CASUALTY INS CO
NATIONAL CONTINENTAL INSURANCE
CO
NATIONAL INTERSTATE INS CO
WEST AMERICAN INSURANCE
COMPANY
OHIO SECURITY INSURANCE COMPANY
AVOMARK INS CO
AMERICAN FIRE & CASUALTY
COMPANY
OHIO CASUALTY INSURANCE COMPANY
COMPASS INSURANCE COMPANY
NORTHWESTERN NATIONAL INS CO OF
MIL
GREAT AMERICAN INS CO OF NEW
YORK
GREAT AMERICAN ALLIANCE INS CO
GREAT AMERICAN INSURANCE CO
WORLDWIDE INSURANCE COMPANY
GREAT AMERICAN SPIRIT INSURANCE
COMPANY
GREAT AMERICAN ASSURANCE CO
CINCINNATI INSURANCE COMPANY
CINCINNATI CASUALTY COMPANY
CINCINNATI INDEMNITY COMPANY
PROTECTIVE INSURANCE CO
SAGAMORE INSURANCE COMPANY
IGF INSURANCE COMPANY
GRAIN DEALERS MUTUAL INSURANCE
COMPANY
NATIONAL INSURANCE ASSOCIATION
INDIANA LUMBERMENS MUTUAL INS CO
BROTHERHOOD MUTUAL INS CO

FORT WAYNE HEALTH & CASUALTY INS
CO
YOSEMITE INSURANCE COMPANY
STAR INSURANCE CO
WILLIAMSBURG NATIONAL INS CO
K MART CORP
NATIONAL GENERAL INS CO
MIC GENERAL INS CORP
MIC PROPERTY & CASUALTY INS CORP
MOTORS INSURANCE CORPORATION
CIM INSURANCE CORPORATION
HOLCIM (US) INC
INTREPID INSURANCE COMPANY
AMERISURE MUTUAL INSURANCE CO
DAIMLER CHRYSLER INSURANCE
COMPANY
FRANKENMUTH MUTUAL INS CO
INSURANCE CORPORATION OF
AMERICA
AMERICAN PHYSICIANS ASSURANCE
CORP
ACCIDENT FUND INSURANCE
COMPANY OF AMERICA
MICHIGAN MILLERS MUTUAL
INSURANCE COMPANY
GUIDANT SPECIALTY MUTUAL INS CO
GUIDEONE MUTUAL INS CO
WESTERN AGRICULTURAL INS CO
EMCASCO INSURANCE COMPANY
AMERICAN LIBERTY INSURANCE CO
DAKOTA FIRE INSURANCE COMPANY
ALLIED MUTUAL INSURANCE CO
CONTINENTAL WESTERN INS CO
HOMELAND CENTRAL INSURANCE CO
BERKLEY REGIONAL INSURANCE
COMPANY
UNION INS CO OF PROVIDENCE
CENTURION CASUALTY COMPANY
NATIONWIDE AGRIBUSINESS INS CO
FARMLAND MUTUAL INSURANCE CO
AMCO INSURANCE COMPANY
ALLIED PROPERTY & CASUALTY
INSURANCE COMPANY
DEPOSITORS INSURANCE COMPANY

PHARMACIST MUTUAL INSURANCE
COMPANY
ACCEPTANCE INDEMNITY INS CO
IOWA MUTUAL INSURANCE CO
FIREMANS FUND INS CO OF
WISCONSIN
NORTHWESTERN NATIONAL CASUALTY
CO
NN INSURANCE COMPANY
ST PAUL GUARDIAN INSURANCE CO
ST PAUL MERCURY INSURANCE CO
ST PAUL MEDICAL LIABILITY INS CO
UNITED WISCONSIN INS CO
COMMERCIAL LOAN INS CORP
LAURIER INDEMNITY COMPANY
INCORPORATED
REGENT INSURANCE CO
GENERAL CASUALTY CO OF
WISCONSIN
WINTERTHUR INTERNATIONAL
AMERICA INS CO
CUMIS INSURANCE SOCIETY INC
PLATTE RIVER INSURANCE COMPANY
NATIONWIDE INS CO OF AMERICA
AMERICAN FAMILY MUTUAL
INSURANCE COMPANY
AMERICAN STANDARD INSURANCE
COMPANY OF WISCONSIN
DAIRYLAND INSURANCE COMPANY
SENTRY INSURANCE MUTUAL CO
MIDDLESEX INSURANCE COMPANY
SENTRY SELECT INSURANCE
COMPANY
FEDERATED SERVICE INSURANCE CO
FEDERATED MUTUAL INSURANCE CO
FIDELITY & GUARANTY INS
UNDERWRITERS
ATHENA ASSURANCE CO
ST PAUL PROTECTIVE INSURANCE
COMPANY
DISCOVER PROPERTY & CASUALTY INS
CO
UNITED STATES FIDELITY & GUARANTY
CO
FIDELITY & GUARANTY INS CO

NORTHBROOK INDEMNITY CO
STOLTZE CONNER LUMBER CO
F H STOLTZE LAND & LUMBER CO
NORTHLAND CASUALTY COMPANY
NORTHLAND INSURANCE COMPANY
MODERN SERVICE INSURANCE
COMPANY
CHS INC
TARGET CORP
NORTHWESTERN CORPORATION
NORTHWESTERN ENERGY L L C
DAKOTA TRUCK UNDERWRITERS
AMERICAN WEST INSURANCE CO
STILLWATER MINING CO
VALOR INSURANCE COMPANY INC
WAGGONERS TRUCKING THE
HOLY ROSARY HOSPITAL
MONTANA HEALTH NETWORK WC INS
TRUST
WESTERN ENERGY CO
PEABODY COAL CO
BENEFIS HEALTH CARE
ST THOMAS CHILD & FAMILY CNTR
COLUMBUS HOSPITAL CORP
MONTANA ELECTRIC & TELEPHONE
POOL
MONTANA CONTRACTOR COMP FUND
UNIVERSITY OF GREAT FALLS
SCIF HORSERACING
COMBINED BENEFITS INS CO
MACO WORKERS COMP TRUST
MONTANA SCHOOLS GROUP INS
AUTHORITY
MONTANA STATE FUND
MHA WORKERS COMP TRUST
MONTANA MUNICIPAL INS AUTHORITY
MUS SELF-FUNDED WORK COMP
PROGRAM
CONSOLIDATED FREIGHTWAYS CORP
MONTANA RESOURCES
ENTECH INC
MONTANA POWER CO
TOWN PUMP INC
GOLDEN SUNLIGHT MINES INC

MISSOULA COUNTY WC GROUP INS
AUTHORITY
MISSOULA COUNTY
STAN WATKINS TRUCKING INC
WATKINS & SHEPARD TRUCKING INC
MONTANA LOGGERS EXCHANGE
ST JOSEPH HOSPITAL CORP
NORTHWEST HEALTHCARE CORP
PLUM CREEK TIMBER CO INC
HARCO NATIONAL INSURANCE CO
ALLSTATE INSURANCE CO
WESTERN DIVERSIFIED CASUALTY INS
EVANSTON INSURANCE COMPANY
AMERICAN CONTINENTAL INSURANCE
COMPANY
VIRGINIA SURETY COMPANY
INCORPORATED
AMERICAN PROTECTION INSURANCE
CO
AMERICAN MOTORISTS INSURANCE CO
SPECIALTY NATIONAL INS CO
NABISCO INC
AMERICAN AMBASSADOR CASUALTY
CO
COLONIAL PENN FRANKLIN INS CO
AMERICAN AGRICULTURAL INSURANCE
COMPANY
XL SPECIALTY INSURANCE COMPANY
FORUM INSURANCE CO
WESTERN FRUIT EXPRESS CO
COLONIAL AMERICAN CASUALTY &
SURETY
NORTHERN INS CO OF NEW YORK
AMERICAN ZURICH INSURANCE CO
ZURICH AMERICAN INSURANCE CO
ZURICH AMERICAN INS CO OF ILLINOIS
AMERICAN GUARANTEE & LIABILITY INS
CO
FIDELITY & DEPOSIT CO OF MARYLAND
HERITAGE CASUALTY INSURANCE
COMPANY
MILLERS NATIONAL INSURANCE CO
TRANSGUARD INS CO OF AMERICA INC
ROYAL INS CO OF AMERICA
NATIONAL SURETY CORP

WARNER INSURANCE COMPANY
UNION TANK CAR CO
COREGIS INSURANCE COMPANY
INTERCONTINENTAL INSURANCE CO
SEABRIGHT INSURANCE COMPANY
COMMERCIAL INS CO OF NEWARK NJ
CONTINENTAL INSURANCE CO
FIREMENS INS CO OF NEWARK NJ
VALLEY FORGE INSURANCE CO
TRANSCONTINENTAL INSURANCE CO
NIAGARA FIRE INSURANCE CO
FIDELITY & CASUALTY CO OF NEW
YORK
NATIONAL FIRE INS CO OF HARTFORD
BOSTON OLD COLONY INS CO
AMERICAN CASUALTY CO OF READING
PA
GLENS FALLS INSURANCE CO
KANSAS CITY FIRE & MARINE INS CO
CONTINENTAL NATIONAL INDEMNITY
BITUMINOUS FIRE & MARINE INS CO
BITUMINOUS CASUALTY CORP
LEXON INSURANCE COMPANY
RLI INDEMNITY CO
COUNTRY MUTUAL INS CO
COUNTRY PREFERRED INS CO
COUNTRY CASUALTY INS CO
STATE FARM GENERAL INS CO
MILLERS FIRST INSURANCE COMPANY
FLORISTS MUTUAL INSURANCE CO
MIDWEST EMPLOYERS CASUALTY CO
LYNDON PROPERTY INSURANCE
COMPANY
VANLINER INSURANCE CO
SMURFIT STONE CONTAINER
ENTERPRISES INC
SAFETY FIRST INSURANCE COMPANY
SAFETY NATIONAL CASUALTY CORP
TRAVELERS INDEMNITY CO
STATE FARM MUTUAL AUTOMOBILE INS
CO
AMERICAN DRUG STORES INC
SHELL WESTERN E & P
STATE FARM FIRE & CASUALTY CO
NATIONWIDE MUTUAL INSURANCE CO

INTERNATIONAL PAPER CO
MONTGOMERY WARD & CO INC
ST PATRICK HOSPITAL AND HEALTH
SCIENCES CENTER
FLYING J INC
METROPOLITAN PROP & CAS INS CO
CONTINENTAL BAKING CO
ARCH INSURANCE COMPANY
CASUALTY RECIPROCAL EXCHANGE
ARMED FORCES INSURANCE
EXCHANGE
WESTPORT INSURANCE CORP
EMPLOYERS REINSURANCE CORP
BENCHMARK INSURANCE COMPANY
ASH GROVE CEMENT CO
UNIVERSAL UNDERWRITERS INS CO
FEDERATED RURAL ELECTRIC INS
EXCHANGE
SISTERS OF CHARITY OF
LEAVENWORTH HEALTH SYSTEM
CIMARRON INSURANCE CO
CONAGRA FOODS INC
CALIFORNIA INSURANCE COMPANY
PREFERRED PROFESSIONAL
INSURANCE COMPANY
NATIONAL INDEMNITY COMPANY
PROTECTIVE NATIONAL INSURANCE
COMPANY OF OMAHA
CENTRAL NATIONAL INS CO OF OMAHA
UNION INSURANCE COMPANY
GREAT WEST CASUALTY CO
GRAY INSURANCE COMPANY
AMERICAS INSURANCE COMPANY
AMERICAN INTERSTATE INS CO
AUDUBON INSURANCE COMPANY
BANCINSURE INC
CONOCO PIPELINE CO
OLD REPUBLIC SECURITY ASSURANCE
COMPANY
NATIONAL AMERICAN INSURANCE CO
STONINGTON INSURANCE COMPANY
FAIRMONT INSURANCE CO
TIG INSURANCE CO
TIG PREMIER INSURANCE CO
J C PENNEY CORP INC

ATLANTIC INSURANCE COMPANY
TRANSPORTATION INS CO
TRANSPORT INSURANCE CO
LEADER INSURANCE COMPANY
STONEBRIDGE CASUALTY INSURANCE
COMPANY
EMPLOYERS CASUALTY COMPANY IN
RECEIVERSHIP
NL INDUSTRIES
ACIG INSURANCE COMPANY
TRINITY UNIVERSAL INS CO OF KANSAS
TRINITY UNIVERSAL INSURANCE CO
SOUTHERN INSURANCE COMPANY
SELECT INSURANCE CO
BANKERS MULTIPLE LINE INS CO
MILLERS INSURANCE COMPANY
TRITON INSURANCE COMPANY
ANR FREIGHT SYSTEMS INC
SHELL PIPELINE CORP
GREAT MIDWEST INS CO
US SPECIALTY INSURANCE COMPANY
NATIONAL INSURANCE
UNDERWRITERS
RANGER INSURANCE CO
CONOCO INC
TWIN CITY FIRE INSURANCE CO
PHILLIPS PETROLEUM CO
PETROLEUM CASUALTY CO
HOLLY SUGAR CORP
TEXAS GENERAL INDEMNITY CO
ARGONAUT NORTHWEST INS CO
ROSEBURG FOREST PRODUCTS CO
QWEST CORPORATION
EMPLOYERS MUTUAL CASUALTY CO
MONTANA INS GUARANTY ASSOC
FIREMANS FUND INS CO
ASSOCIATED LOGGERS EXCHANGE
WASATCH CREST MUTUAL INS CO
KROGER CO THE
SKAGGS ALPHA BETA
ALBERTSONS INC
ADVANTAGE WORKERS COMP INS CO
CYPRUS MINES CORPORATION
ASARCO INC
REPUBLIC WESTERN INSURANCE CO

CIRCLE K CORPORATION
AMERICAN SUMMIT INS CO
BROWNING FERRIS INDUSTRIES INC
CALIFORNIA INDEMNITY INS CO
COMMERCIAL CASUALTY INS CO
FARMERS INSURANCE EXCHANGE
MID CENTURY INSURANCE CO
TRUCK INSURANCE EXCHANGE
NATIONAL AMERICAN INS CO OF CA
MISSION AMERICAN INSURANCE CO
FREMONT PACIFIC INSURANCE CO
EMPLOYERS FIRST INSURANCE
COMPANY
EMPLOYERS COMPENSATION
INSURANCE COMPANY
FREMONT INDEMNITY CO
FREMONT COMPENSATION INS CO
ZENITH INSURANCE COMPANY
CALIFORNIA COMPENSATION INS CO
REPUBLIC INDEMNITY CO OF CA
REPUBLIC INDEMNITY CO OF AMERICA
ALLIANZ GLOBAL RISKS US INSURANCE
CO
INSURANCE COMPANY OF THE WEST
EXPLORER INSURANCE COMPANY
WESTERN EMPLOYERS INS CO
NATIONAL FARMERS UNION PROP &
CAS
UNION OIL COMPANY OF CA
ARGONAUT MIDWEST INS CO
ARGONAUT INSURANCE CO
CHEVRON CORP
HIH AMERICA COMP & LIABILITY INS CO
MAJESTIC INSURANCE COMPANY
SUPERIOR NATIONAL INS CO
CLASSIC FIRE & MARINE COMPANY
SAFEWAY INC
FIREMANS FUND INS CO OF OHIO
AMERICAN INSURANCE CO
ASSOCIATED INDEMNITY CORP
AMERICAN AUTOMOBILE INS CO
AMFAC INC

AMERICAN MANUFACTURERS MUTUAL
INSURANCE
KEMPER CASUALTY INS CO
LUMBERMENS MUTUAL CASUALTY CO
COMMERCIAL COMPENSATION
CASUALTY INS CO
WAUSAU UNDERWRITERS INS CO
EMPLOYERS INS OF WAUSAU MUTUAL
CO
LOUISIANA PACIFIC CORP
LIBERTY NORTHWEST INS CORP
NORTHWEST PHYSICIANS MUTUAL INS
CO
NATIONWIDE AFFINITY INS CO OF
AMER
LES SCHWAB TIRE CENTERS OF MONT
INC
FREMONT INDEMNITY CO
UNIGARD INSURANCE CO
WASHINGTON CASUALTY COMPANY
COSTCO WHOLESALE CORP
AMERICAN INTERNATIONAL
INSURANCE COMPANY
FREMONT IND CO OF THE NORTHWEST
ERNST HOME CENTERS
PLUM CREEK MGMT CO LP
PLUM CREEK TIMBER CO LP
SAFECO INSURANCE COMPANY OF
AMERICA
SAFECO INSURANCE CO OF ILLINOIS
FIRST NATIONAL INS CO OF AMERICA
AMERICAN STATES INS CO
AMERICAN STATES PREFERRED
GENERAL INS CO OF AMERICA
J H KELLY INC
J H KELLY L L C
ROSAUERS SUPERMARKETS INC
SISTERS OF CHAR OF PROV OF MT
AMERICAN ECONOMY INS CO
TECK COMINCO AMERICAN INC
ALASKA NATIONAL INSURANCE CO

¶1 On December 22, 2004, the Montana Supreme Court held that the age-related limits imposed by section 39-71-710, MCA (1993) on a claimant's permanent partial disability benefits is unconstitutional. The Court further determined that older claimants are entitled to the same permanent partial disability benefits as younger ones. *Reesor v. Montana State Fund*, 2004 MT 370. A copy of that decision may be found by going to this Court's WEB site at http://www.wcc.dli.mt.gov/common_fund/Reesor_Info.htm and selecting the link to the decision.

¶2 The Supreme Court remanded the case to this Court for a redetermination of the benefits due the petitioner. Following remand, on January 20, 2005, petitioner's attorney filed Petitioner's Notice of Common Fund Attorney Fee Lien, a copy of which is attached. In that lien notice he claims an attorney fee lien on all additional benefits paid as a result of the Supreme Court's decision after December 22, 2004, to claimants injured on or after July 1, 1987. The claimed lien extends to all Montana insurers and self-insurers. The lien is for twenty-five percent of the additional benefits.

¶3 Until further order of this Court, each of you is authorized to withhold twenty-five percent of additional benefits required by *Reesor* which are paid by you after December 22, 2004, to claimants injured on or after July 1, 1987.

¶4 Further, each of you is made a respondent to the petitioner's common fund claims. As such, you are summoned to answer the petitioner's request for certification of a common fund and enforcement of his attorney's lien. Your written answer must be received at the Workers' Compensation Court at P.O. Box 537, Helena, MT 59624-0537, or delivered to its offices at 1625 11th Avenue, Helena, Montana, **on or before April 7, 2005**. A copy of your answer must also be served on petitioner's attorney, Mr. Thomas J. Murphy at the Murphy Law Firm, P.O. Box 3226, Great Falls, MT 59403-3226.

¶5 Following the deadline for the filing of your answer, the Court will conduct further proceedings to determine whether a common fund exists and, if so, the extent of such fund and the extent and validity of the lien claimed by the petitioner's attorney. If the Court finds there is a common fund and a valid attorney fee lien, then proceedings to enforce common fund entitlements and the lien will follow. **Resolution of these legal issues, and any attendant issues, will govern this case and apply to each of you.**

¶6 To facilitate dissemination of your answer, of further motions, briefs and orders, and of minutes and transcripts of conferences and hearings, the Court will post these documents under the common fund section of its WEB site at www.wcc.dli.mt.gov.

