

Murphy Law Firm
619 Second Avenue South
P.O. Box 3226
Great Falls, MT 59403-3226
Telephone (406) 452-2345
Fax (406) 452-2999

Thomas J. Murphy, Attorney
Charla K. Tadlock, Attorney

Lou Joi Poelman, Paralegal
Sandra Lee Gilbert, Paralegal

FILED

September 7, 2005

SEP - 8 2005

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

Larry Jones
Jones and Garber
700 SW Higgins #108
Missoula, ~~Mt~~ 59803

RE: Reesor v. Montana State Fund
WCC No. 2002-0676

Dear Larry:

I received your letter, dated 9/1/05, which contained your definition of a "closed, final or settled" case. Obviously, that definition will be important in the Reesor Common Fund Case. I tend to agree with your definition that an approved Petition for Settlement and a Court Judgment fall within the "final" or "settled" claims (unless there was fraud or mutual mistake); however, I do not agree that the definition of "closed, final or settled" should include a claim that is "inactive" or "closed by the insurer." Thank you.

Sincerely yours,

Thomas J. Murphy

TJM/ljp
cc: Workers Compensation Court
Brad Luck

DOCKET ITEM NO. 20e