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February 13, 2006

**FILED**

**FEB 14 2006**

Judge James Jeremiah Shea  
Workers Compensation Court  
P O Box 537  
Helena, Mt 59624-0357

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

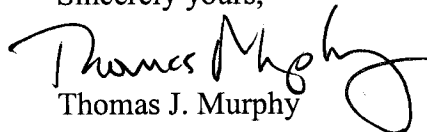
Re: Reesor v. State Fund  
WCC No. 2002-0676

Dear Judge Shea:

In accordance with the Court's Order dated 12/6/05 (Docket #324), I reviewed Evergreen National Indemnity Company's affidavit requesting dismissal without prejudice in the Reesor common fund action. I agree to Evergreen's dismissal without prejudice, but I remind the Court that Evergreen was previously dismissed on 6/27/05 (docket #247).

In addition, I reviewed the Motion to Dismiss filed by Platte River Insurance Company and the supporting Affidavit of Stuart M DeHaaff. In reliance on the truthfulness of Mr. DeHaaff's affidavit, I stipulate that Platte River may be dismissed without prejudice. Please contact me if the Court has any questions about this matter. Thank you.

Sincerely yours,

  
Thomas J. Murphy

TJM/ljp  
cc. Evergreen National Indemnity  
Jacqueline T. Lenmark.

DOCKET ITEM NO. 368