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February 13, 2006

~~Julie Pollack~~
~~175 King St.~~
~~Armonk, NY 10504~~

FILED

FEB 14 2006

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

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

Dear Ms. Pollack:

You represent North American Specialty Insurance Company ("NAS") in the above-captioned case. Based on Alfred Bodi's affidavit stating that NAS did not have any Reesor claims, we stipulated to the dismissal of NAS, and NAS was dismissed on 1/30/06.

However, on 2/3/06, Attorney Jacqueline Lenmark filed the enclosed affidavit from Stuart M. DeHaaff on behalf of Underwriters Insurance Company ("UIC"). According to Mr. DeHaaff, NAS is responsible for UIC's past and present Reesor liabilities. Is this true? If so, please tell me if NAS paid any claims on behalf of UIC in Montana between 7/1/87 and 12/22/04. If so, please tell me how many of those claims involved injured workers over age 65 (either at the time of injury or at the time of maximum medical improvement). Finally, please provide an updated affidavit that addresses NAS' relevant liabilities under Reesor for policies issued by UIC in Montana. Thank you.

Sincerely yours,

Thomas J. Murphy

TJM/ljp
enc: Affidavit of Stuart M. DeHaaff
cc: Workers Compensation Court
Jacqueline T. Lenmark

DOCKET ITEM NO. 369