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FILED

APR 12 2006

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

DALE REESOR,)	
Petitioner,)	
)	
vs.)	WCC No. 2002-0676
)	
MONTANA STATE FUND)	Petitioner's Response to
Respondent/Insurer)	Attorney Jennings' Motion
)	to Extend Briefing Deadline
)	

COMES NOW Petitioner Reesor to respond to the Motion to Extend Briefing Deadlines offered by Defense Attorney Jennings on behalf of multiple Insurance Company Respondents.

BACKGROUND


On December 22, 2004, the Montana Supreme Court decided Reesor v. State Fund. 2004 MT 370, 325 Mont. 1, 103 P.3d 1019 (Mont. 2004). The case was remanded, and on April 22, 2005 the Workers' Compensation Court issued a Summons and Notice of Attorney Fee Lien advising Respondent Insurers of this common fund action. The summons served by the Court advised the Insurers that the Court would issue a briefing schedule on the issues at bar. Three months later, in a comprehensive hearing before the Court on July 14, 2005, the issues currently being briefed were discussed at length by Court and Counsel.

One year later, on March 14, 2006, this Court issued its Order Delineating Issues and Setting Briefing Schedule (Docket #383). The Order set the deadline for simultaneous opening briefs for April 17, 2006; and the Order set the deadline for simultaneous answer briefs for May 17, 2006.

ARGUMENT

Reesor asks the Court to deny the Insurers' motion to extend the briefing schedule. The Respondent Insurers have had over one year to prepare these briefs, and many of the Respondent Insurers have briefed these issues on repeated occasions in multiple common fund cases before this Court. There is no logical reason to delay the briefing deadline set by the Court on March 14, 2006.

DATED this 12th day of April, 2006.


Thomas J. Murphy
Attorney for Reesor

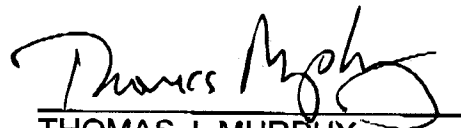
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 12th day of April, 2006, a copy of the foregoing Petitioner's Response to Attorney Jennings' Motion to Extend Briefing Deadline was served upon the following by mailing a true and correct copy of said document via first class mail to the addresses listed below:

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FACSIMILE COVER LETTER

DATE:	4/12/2006
TO:	Workers' Compensation Court
FAX #:	406-444-7798
FROM:	Murphy Law Firm
PAGES:	3
RE:	Petitioner's Response to Attorney Jennings' Motion Reesor v. Montana State Fund WCC No. 2002-0676
MEMO:	Please file this Response. The original will follow by First Class Mail. Thank you.

CONFIDENTIALITY

The document(s) accompanying this fax may be privileged and confidential information intended for the use of the individual or entity named above. If you have received this fax in error, please notify us immediately by telephone to arrange for return of the documents to us.