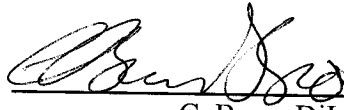


¶ 5. I understand that the Montana Workers' Compensation Court may allow a period of up to 90 days from the date of filing this affidavit within which counsel for Petitioner[s] may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement(s) made by me on behalf of Teck Cominco American Incorporated. After such 90 days, if no objection is lodged by counsel for Petitioner[s], the Court will dismiss the insurer/self-insurer from this action based on the sworn statements made by me in this affidavit.

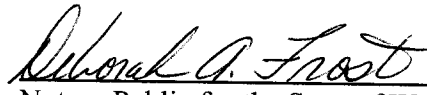
¶ 6. I declare under penalty of perjury that the foregoing is correct.

DATED this 5th day of May 2006.



C. Bruce DiLuzio
Vice President, Law and Administration

Signed and sworn to before me this 5th day of May 2006.



Notary Public for the State of Washington
Residing at: Spokane
My Commission Expires: 5/11/07

(Notarial Seal)

