

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. _____

WCC No 2002-0676

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FILED

JUL - 1 2008

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

Dale Reesor,
Appellant,

vs.

NOTICE OF APPEAL

Montana State Fund,
Appellee.

NOTICE is given that Dale Reesor, the above-named Appellant and the Petitioner in the cause of action filed in the Workers' Compensation Court as WCC No. 2002-0676, hereby appeals to the Montana Supreme Court from the Workers' Compensation Court's June 4, 2008 Order, which adopted the June 2, 2008 Findings and Conclusions by the Special Master on the Common Fund Issues.


THE APPELLANT FURTHER CERTIFIES:

1. This appeal is subject to the mediation process required by Rule 7, M.R.App.P., and the money judgment being sought is not less than \$5,000.
2. This is an appeal from an order certified as final under ARM 24.5.348(2), and a true copy of the Workers Compensation Court's Certification Order, dated 6/27/08, is attached hereto as "Exhibit A."
3. There were no related hearings in the lower court, so there was no transcript for the Appellant to order from the court reporter before the filing of this notice of appeal; therefore, the Appellant has complied with the provisions of Rule 8(3) M.R.App.P. with the filing of this notice of appeal.

DOCKET ITEM NO. 473

4. That included herewith is the filing fee prescribed by statute.

DATED this 30th day of June 2008.


THOMAS J. MURPHY
Attorney for the Appellant

CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of the Workers' Compensation Court, and each attorney of record in the above-referenced Workers' Compensation Court action, as follows:

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DATED this 30th day of June 2008.



THOMAS J. MURPHY

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2002-0676

DALE REESOR

Petitioner

vs.

MONTANA STATE FUND

Respondent/Insurer.

ORDER OF FINAL CERTIFICATION PURSUANT TO ARM 24.5.348(2)

¶ 1 Pursuant to ARM 24.5.348(2), the June 4, 2008 Order Adopting Order of Special Master,¹ which adopted the June 2, 2008 Findings and Conclusions by Special Master on Common Fund Issues, is certified as final and, for purposes of appeal, shall be considered as a notice of entry of judgment.

DATED in Helena, Montana, this 27th day of June, 2008.

(SEAL)

/s/ JAMES JEREMIAH SHEA
JUDGE

c: *Counsel of Record via Website*
Jay P. Dufrechou