

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 08-0314

FILED

OCT - 1 2008

Ed Smith

CLERK OF THE SUPREME COURT
STATE OF MONTANA

ORDER

DALE REESOR,

Petitioner and Appellant,

v.

MONTANA STATE FUND,

Appellee and Cross-Appellant.

The parties Dale Reesor and the Montana State Fund, by counsel, have filed a "Joint Motion to Remand." The parties represent that they have reached a tentative settlement of this matter, the terms of which require consideration and approval by the Montana Workers Compensation Court. They therefore seek remand for further proceedings, but ask that should the settlement not be approved by the Workers Compensation Court, that they be allowed to so certify to this Court, and have the present appeal reinstated for further proceedings.

Good cause appearing,

IT IS HEREBY ORDERED that the Joint Motion to Remand is GRANTED.

IT IS FURTHER ORDERED that the parties shall immediately notify this Court upon disapproval or approval of the settlement by the Workers Compensation Court, and that this appeal shall be dismissed without prejudice sixty days from the date hereof should matters not be fully and finally resolved by that time.

IT IS FURTHER ORDERED that the Clerk of this Court serve a copy of this Order upon all counsel of record.

DATED this 1st day of October, 2008.

Patricia Cotton

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Justices