

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2002-0676

DALE REESOR

Petitioner

vs.

MONTANA STATE FUND

Respondent/Insurer.

**ORDER DENYING DISMISSAL OF NORTH AMERICAN SPECIALTY INSURANCE
COMPANY**

¶1 Based on the Court's review of the motion to dismiss by North American Specialty Insurance Company, and the petitioner's response thereto;

¶2 IT IS HEREBY ORDERED that the petitioner is allowed ninety days from the date of this order within which to conduct discovery for the limited purpose of proving or disproving the following:

¶2a North American Specialty Insurance Company has never written workers' compensation insurance in the state of Montana;

¶2b North American Specialty Insurance Company does not have any Montana claims;

¶2c North American Specialty Insurance Company has no claimants meeting the Court's criteria in this matter as set forth in the summons; and/or

¶2d North American Specialty Insurance Company is or was in liquidation during the period in question set forth in the summons.

¶3 Further, after the ninety-day period or upon completion of such discovery, the petitioner's counsel is ordered to provide a status report to the Court regarding the same.

DATED in Helena, Montana, this 3rd day of October, 2005.

(SEAL)

/s/ James Jeremiah Shea
JUDGE

c: E-Mailed to Reesor Distribution List (October 3, 2005)