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June 16, 2005

American Family Insurance Co.
Claims Department
4802 Mitchell Ave.
St. Joseph, MO 64507-2500

FILED

20 CW
JUN 17 2005

RE: Reesor Common Fund Action

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

Dear Claims Department:

I received a copy of enclosed cover sheets, which were attached to the enclosed Reesor Summons and Notice of Attorney Fee Lien for American Family Mutual Insurance Co. and American Standard Ins. Co of Wisconsin. Your note asked me to resubmit the claims with the appropriate American Family Insurance claim number. This is not possible, so you should re-examine the summons that was served on your company.

The Reesor Common Fund Action applies to all workers compensation insurance companies who provided workers compensation insurance in Montana between 7/1/1987 and 12/22/2004. If your company sold workers compensation insurance in Montana between those dates, then your company may owe "retroactive" benefits to multiple claimants. Reesor applies to workers compensation claims involving injured elderly workers. Pursuant to the unconstitutional operation of §39-71-710 MCA, injured elderly workers were denied full permanent partial disability benefits between 7/1/1987 and 12/22/2004. If your company invoked §39-71-710 MCA to deny injured elderly workers full permanent partial disability benefits, then your company may owe additional benefits. If you have further questions about this matter, please ask your attorney to contact the Montana Workers Compensation Court or me. Thank you.

Sincerely yours,

Thomas J. Murphy

TJM/ljp

enc: American Family Ins. Co. Cover Sheet
Reesor v. Montana State Fund Summons
✓ cc. Montana Workers' Compensation Court (no enc.)