

THOMAS J. MURPHY
Murphy Law Firm
P.O. Box 3226
Great Falls, MT 59403-3226
Phone: 406-452-2345
Fax: 406-452-2999
Attorneys for Petitioner

FILED

JUL - 8 2005

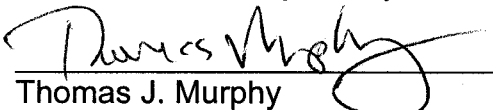
OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

DALE REESOR,)	
Petitioner,)	
)	
vs.)	WCC No. 2002-0676
)	
MONTANA STATE FUND)	Response to Motion to Dismiss
Respondent/Insurer)	From American Family Insurance
)	

The Petitioner reviewed the attached correspondence, dated 6/28/05, from American Family Insurance. In reliance upon the representations made therein, the Petitioner has no objection to the dismissal of American Family Mutual Insurance Company and American Standard Insurance Company of Wisconsin without prejudice.

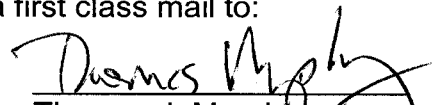
DATED this 7th day of July, 2005.


Thomas J. Murphy
Attorney for the Petitioner Reesor

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 7th day of July, 2005, a copy of the foregoing Response was served upon the Attorney for the Respondent by mailing a true and correct copy of said document via first class mail to:

Rick Packard
6000 American Parkway
Madison, WI 53783-0001
Attorney for American Family Insurance


Thomas J. Murphy
Attorney for Petitioner

Attachment: Packard letter to Judge McCarter - 6/28/05

DOCKET ITEM NO. 258

JUL - 5 2005

American Family Mutual Insurance Company
6000 American Parkway
Madison, Wisconsin 53783-0001
Phone 608-249-2111



Rick L. Packard
Assistant General Counsel

June 28, 2005

Honorable Mike McCarter
Workers Compensation Court
P.O. Box 537
Helena, MT 59624-0537

Re: *Reesor v. Montana State Fund*
WCC No. 2002-0676

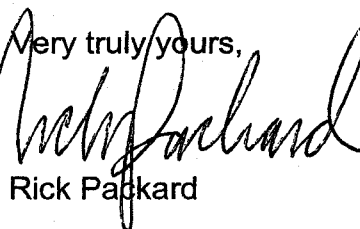
Dear Judge McCarter:

I am writing on behalf of American Family Mutual Insurance Company and American Standard Insurance Company of Wisconsin (collectively referred to as "American Family").

American Family recently received copies of the April 22, 2005 summons and notice of attorney lien. While American Family has a certificate of authority to sell insurance products in the State of Montana, American Family is not yet actively engaged in business in your state. American Family does not sell workers compensation insurance in Montana, and, to my knowledge, does not have any claims that would be subject to the above lawsuit.

In light of the above, American Family will not be participating in the above lawsuit. With this letter, American Family is not waiving any defenses that it might otherwise have, including jurisdictional defenses, in the event that a further claim is pursued against it in the above matter.

Thank you.

Very truly yours,

Rick Packard

RLP/rp

cc: Attorney Thomas J. Murphy