

Americas Insurance Company ("AIC")

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

WCC No. 2002-0676

**FILED**

DALE REESOR

JAN 12 2006

Petitioner

OFFICE OF  
WORKER'S COMPENSATION JUDGE  
HELENA, MONTANA

vs.

MONTANA STATE FUND

Respondent/Insurer.

AFFIDAVIT

STATE OF LOUISIANA )  
County of NEW ORLEANS ) : ss.

¶1 I JONATHAN FRANCIS (NAME), being first duly sworn upon oath, depose and say:

¶2 I, JONATHAN FRANCIS (NAME), am the Senior Vice President (POSITION) of AMERICAS INSURANCE COMPANY ("AIC") (NAME OF INSURER OR SELF-INSURER).

¶3 In my capacity as Senior Vice President (POSITION) of AIC (NAME OF INSURER OR SELF-INSURER), I am authorized to make the statements set forth in this affidavit on behalf of AIC (NAME OF INSURER OR SELF-INSURER) and to bind AIC (NAME OF INSURER OR SELF-INSURER) by these statements.

¶4 After a review of our records, I swear under oath that AIC (NAME OF INSURER OR SELF-INSURER) should be dismissed from the above-entitled action for any or all of the following reasons (check any or all that apply):

- AIC (NAME OF INSURER OR SELF-INSURER) has never written workers' compensation insurance in the state of Montana;
- AIC (NAME OF INSURER OR SELF-INSURER) does not have any Montana claims;
- AIC (NAME OF INSURER OR SELF-INSURER) has no claimants meeting the Court's criteria in this matter as set forth in the summons;
- \_\_\_\_\_ (NAME OF INSURER OR SELF-INSURER) was or is in liquidation during the period in question set forth in the amended summons served upon me.

¶15 I understand that the Montana Workers' Compensation Court may allow a period of up to 90 days from the date of filing this affidavit within which counsel for Petitioner[s] may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement(s) made by me on behalf of AIC (NAME OF INSURER OR SELF-INSURER). After such 90 days, if no objection is lodged by counsel for Petitioner[s], the Court will dismiss the insurer/self-insurer from this action based on the sworn statements made by me in this affidavit.

¶16 I declare under penalty of perjury that the foregoing is correct.

DATED this 3<sup>rd</sup> day of January, 2005.

Jonathan Francis

JONATHAN FRANCIS

(Name)

Senior Vice President

(Title)

Signed and sworn to before me this 3<sup>rd</sup> day of January, 2006

[Signature]

Notary Public for the State of Louisiana  
 Residing at: # 3100, 201 St. Charles Ave, NOLA 70170  
 My Commission Expires: upon my death

(SEAL)

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APR 22 2005

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

SUMMONS AND NOTICE OF ATTORNEY FEE LIEN

The State of Montana to the following Insurers and Self-Insureds:

BEATRICE COMPANIES INC  
MARKEL INSURANCE COMPANY  
AMERICAN COMMERCE INS CO  
ALLMERICA FINANCIAL ALLIANCE INS CO  
HANOVER INSURANCE CO  
LUMBER MUTUAL INSURANCE CO  
AMERICAN MUTUAL INS CO OF BOSTON  
AMERICAN MUTUAL LIABILITY INS CO  
ELECTRIC INSURANCE CO  
HARTFORD FIRE INSURANCE CO  
AMERICAN CENTRAL INS CO  
NORTHERN ASSURANCE CO OF AMERICA  
EMPLOYERS FIRE INSURANCE CO  
HOUSTON GENERAL INSURANCE CO  
CAMDEN FIRE INSURANCE ASSOCIATION  
ONE BEACON AMERICA INSURANCE CO  
TRADERS & GENERAL INS CO  
AMERICAN EMPLOYERS INSURANCE CO  
PENNSYLVANIA GENERAL INSURANCE CO  
ONE BEACON INSURANCE COMPANY  
LEXINGTON INSURANCE COMPANY  
HOMESITE INSURANCE COMPANY  
LIBERTY INSURANCE CORP  
LM PERSONAL INSURANCE COMPANY  
LM PROPERTY & CASUALTY INSURANCE CO  
WAUSAU BUSINESS INSURANCE CO  
LIBERTY MUTUAL FIRE INSURANCE CO  
LM INSURANCE CORPORATION  
FIRST LIBERTY INSURANCE CORPORTION  
LM GENERAL INSURANCE COMPANY

SEATON INSURANCE CO  
STONEWALL INSURANCE COMPANY  
METROPOLITAN DIRECT PROP & CAS INS  
METROPOLITAN GENERAL INS CO  
ECONOMY PREFERRED INS CO  
ECONOMY PREMIER ASSURANCE CO  
ECONOMY FIRE & CASUALTY CO  
PROVIDENCE WASHINGTON INS CO  
YORK INSURANCE COMPANY  
FACTORY MUTUAL INS CO  
INTERNATIONAL INSURANCE CO  
NORTH AMERICAN SPECIALTY INS CO  
NORTH AMERICAN ELITE INSURANCE  
ATLAS ASSURANCE CO OF AMERICA  
LIBERTY MUTUAL INSURANCE CO  
CORE INSURANCE COMPANY  
ALEA NORTH AMERICA INSURANCE COMPANY  
ODYSSEY AMERICA REINSURANCE CORP  
SENTINEL INSURANCE COMPANY LTD  
HARTFORD INS CO OF THE MIDWEST  
PROPERTY & CASUALTY INS CO OF HARTFORD  
HARTFORD CASUALTY INSURANCE CO  
HARTFORD UNDERWRITERS INS CO  
HARTFORD ACCIDENT & INDEMNITY CO  
AUTOMOBILE INS CO OF HARTFORD  
CHARTER OAK FIRE INSURANCE CO  
TRAVELERS INDEMNITY CO OF CT  
TRAVELERS CASUALTY INS COMPANY OF  
AMERICA  
TRAVELERS PROPERTY CASUALTY COMP OF