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FILED

AUG 22 2005

OFFICE OF
WORKER'S COMPENSATION JUDGE
HELENA, MONTANA

Thomas J. Murphy, Attorney
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August 19, 2005

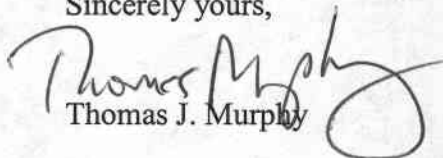
Judge Mike McCarter
Workers Compensation Court
P O Box 537
Helena, Mt 59624-0357

RE: Reesor v. State Fund
WCC No. 2002-0676
Dismissal of Caterpillar Ins. Co.

Dear Judge McCarter:

The attorney for Caterpillar Insurance Company, Sandi L. Pack, asked the Court to dismiss Caterpillar Insurance Company based on her statement that her company never issued workers' compensation insurance in Montana. I attach her letter, dated 8/16/05, for the Court's review. Please note that the Court also has the Affidavit of Donald J. Meyers, which further sets forth the facts surrounding this matter. Based on the statements that Caterpillar Insurance Company made to the Court, and in reliance on the truthfulness of those statements, I agree that the Court should dismiss Caterpillar Insurance Company without prejudice. Thank you.

Sincerely yours,


Thomas J. Murphy

TJM/ljp
enc. Pack Letter - 8/16/05
cc. Sandi L. Pack

DOCKET ITEM NO. 298

AUG 19 2005



**Caterpillar Financial
Services Corporation**

2120 West End Avenue
P.O. Box 340001
Nashville, Tennessee 37203-0001
USA

August 16, 2005

VIA U.S. Regular Mail

Thomas J. Murphy, Esq.
Murphy Law Firm
P.O. Box 3226
Great Falls, Montana 59403-3226

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

Dear Mr. Murphy:

On June 17, 2005, I sent you an Affidavit of Donald J. Meyers and documentation supporting dismissal of Caterpillar Insurance Company from the above referenced action.

As we discussed recently and as you promised, since Caterpillar Insurance Company has never written any workers' compensation insurance in the state of Montana, please dismiss Caterpillar Insurance Company from this action.

I look forward to receiving an executed Order of Dismissal.

Yours truly,

Sandi L. Pack
Corporate Litigation Attorney

Telephone (615) 341-1033

Facsimile (615) 341-1083

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SLP/sf