

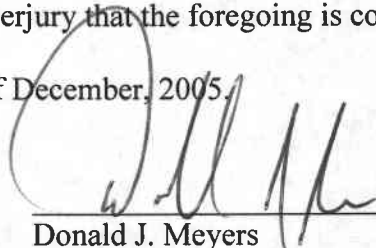


\_\_\_\_\_  
(NAME OF INSURER OR SELF-INSURER) was or is in liquidation during the period in question set forth in the amended summons served upon me.

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 Petitioner's counsel may conduct discovery and investigation for the limited purpose of providing or disproving the foregoing statement(s) made by me on behalf of Caterpillar Insurance Company. After such 90 days, if no objection is lodged by the Petitioner's counsel, the Court will dismiss the insurer/self-insurer from this action based on the sworn statements made by me in this affidavit.

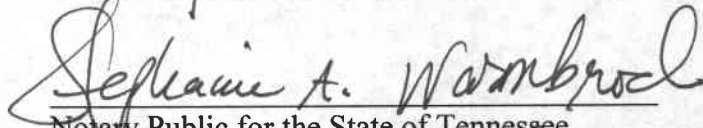
I declare under penalty of perjury that the foregoing is correct.

DATED this 14th day of December, 2005.



Donald J. Meyers  
Vice President, General Counsel & Secretary

Signed and sworn to before me this 14 day of December, 2005.



Notary Public for the State of Tennessee

Residing at: Nashville, TN

My Commission Expires: May 23, 2009

(SEAL)



My Commission Expires MAY 23, 2009