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**FILED**

**JUN 14 2005**

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

DALE REESOR,	)	
	)	
Petitioner,	)	WCC No. 2002-0676
	)	
vs.	)	
	)	
MONTANA STATE FUND,	)	MOTION REQUESTING LEAVE TO
	)	PERMIT LATE FILING
Respondent/Insurer.	)	

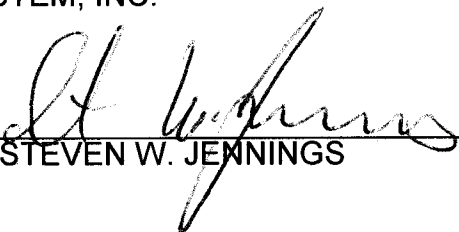
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COMES NOW Respondent, FedEx Ground Package System, Inc. ("FedEx") and requests this Court grant leave to submit a late Response to the *Summons and Notice of Attorney Fee Lien* issued in this case.

On April 22, 2005, this Court issued a *Summons and Notice of Attorney Fee Lien* advising Montana Workers' Compensation Insurers that they were required to file a response by June 6, 2005. FedEx states that it was unaware of this *Summons and Notice of Attorney Fee Lien* and, to the best of its knowledge, had never been served with same. Fedex first learned of the *Summons and Notice of Attorney Fee Lien* incidental to discussions with local counsel regarding a separate FedEx case currently pending before this Court. Accordingly, FedEx seeks leave to file the enclosed *Response* in this action. Plaintiff's counsel, Tom Murphy, could not be reached to consult with respect to stipulating to this motion.

Dated this 14<sup>th</sup> day of June, 2005.

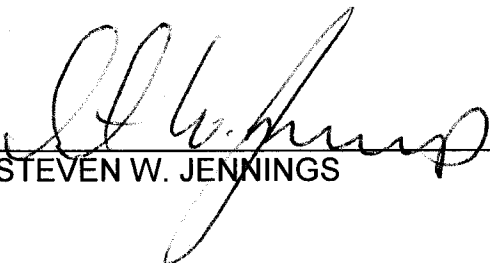
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Attorneys for FEDEX GROUND PACKAGE  
SYSTEM, INC.

By:   
STEVEN W. JENNINGS

**CERTIFICATE OF SERVICE**

I, STEVEN W. JENNINGS, one of the attorneys for the law firm of Crowley, Haughey, Hanson, Toole & Dietrich P.L.L.P., hereby certify that on the 14<sup>th</sup> day of June, 2005, I mailed a true and correct copy of the foregoing document, postage prepaid, to the following:

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Attorneys are licensed in Montana unless otherwise noted; \* also licensed in North Dakota; # also licensed in Wyoming; + not licensed in Montana

June 14, 2005

Workers' Compensation Court  
PO Box 537  
Helena, MT 59624-0537

**VIA FAX & U.S. MAIL:**

RE: *Dale Reesor vs. Montana State Fund*  
WCC No. 2002-0676

Dear Clerk:

On behalf of our client FedEx Ground Package System, Inc., please find a Motion Requesting Leave to Permit Late Filing, as well as the Response to Petitioner's Claim for Common Fund Attorneys Fees, in the matter referenced above, for filing.

Thank you in advance for your assistance with this matter.

Sincerely yours,

CROWLEY, HAUGHEY, HANSON,  
TOOLE & DIETRICH P.L.L.P.

*Myrna Henschel, PLS*

Myrna Henschel, Certified PLS  
Legal Secretary to Steven W. Jennings

mlh  
Enclosures  
c (w/encls.): Thomas Murphy, Esq.