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**FILED**

JUN 21 2005

OFFICE OF  
WORKER'S COMPENSATION JUDGE  
HELENA, MONTANA

IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

DALE REESOR,

Petitioner,

-vs-

MONTANA STATE FUND,

Respondent/Insurer.

WCC No. 2000-0676

MOTION TO DISMISS AND  
BRIEF IN SUPPORT

COMES NOW Grain Dealers Mutual Insurance Company ("Grain Dealers") and responding through their attorneys CROWLEY, HAUGHEY, HANSON, TOOLE & DIETRICH P.L.L.P., to the *Summons and Notice of Attorney Fee Lien*, dated April 22, 2005, respectfully move to dismiss Grain Dealers from the above-entitled action for the reasons that follow.

1. Grain Dealers has not fronted or issued any workers' compensation insurance policies in the state of Montana since 1971.
2. Because no claimants have any claim to recovery against Grain Dealers in this action, Grain Dealers should be dismissed with prejudice from this action.
3. Counsel for Petitioner, Thomas J. Murphy, could not be reached to consult with respect to this motion.

WHEREFORE, Grain Dealers pray that this Court enter an order:

- (A) Dismissing Grain Dealers with prejudice; and
- (B) Awarding such other relief as the Court may deem just and proper.

Dated: June 20, 2005

By: \_\_\_\_\_



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**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 20<sup>th</sup> day of June, 2005, I mailed a true and correct copy of the foregoing document, postage prepaid, to the following:

Mr. Thomas J. Murphy  
Murphy Law Firm  
PO Box 3226  
Great Falls, MT 59403-3226



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STEVEN W. JENNINGS