

*Murphy Law Firm*  
619 Second Avenue South  
P.O. Box 3226  
Great Falls, MT 59403-3226  
Telephone (406) 452-2345  
Fax (406) 452-2999

**FILED**

**MAY 18 2005**

OFFICE OF  
WORKERS' COMPENSATION JUDGE  
HELENA, MONTANA

*Thomas J. Murphy, Attorney*  
*Charla K. Tadlock, Attorney*

*Lou Joi Poelman, Paralegal*  
*Sandra Lee Gilbert, Paralegal*

May 17, 2005

Highlands Insurance Group  
Claims Department  
P O Box 6396  
Lawrenceville, NJ 08648-0396

*2002-0676*

RE: Reesor Common Fund Action

Dear Claims Department:

I received the enclosed cover sheet, which was attached to the Reesor Summons and Notice of Attorney Fee Lien. Your note asked me to forward the documents to the Employer/Employee because no claim "can be found."

This will inform you that the Reesor Common Fund Action applies to all workers compensation insurance companies who provided workers compensation insurance coverage in Montana between 7/1/1987 and 12/22/2004. If your company provided workers compensation insurance in Montana between those dates, then your company may owe additional ("retroactive") workers' compensation benefits to multiple claimants.

The Reesor Common Fund Action applies to workers compensation claims involving injured elderly workers. Pursuant to the unconstitutional operation of §39-71-710 MCA, injured elderly workers were denied full permanent partial disability benefits between 7/1/1987 and 12/22/2004. If your company invoked §39-71-710 MCA to deny injured elderly workers full permanent partial disability benefits, then your company may owe additional ("retroactive") workers' compensation benefits. If you have further questions about this matter, please ask your attorney to contact the Montana Workers Compensation Court or me. Thank you.

Sincerely yours,

Thomas J. Murphy

TJM/ljp

enc: Highlands Insurance Cover Sheet

Reesor v. Montana State Fund Summons

cc. Montana Workers' Compensation Court (no enc.)